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FROM

JOHN GEORGE BOURINOT, LL.D.,

CLERK OF HOUSE OF COMMONS,

OTTAWA, CANADA.

Received *20 May, 1895.*









W. 8390

ROYAL COMMISSION  
ON  
THE LIQUOR TRAFFIC  
MINUTES OF EVIDENCE  
VOL. IV.—PART II.  
PROVINCE OF ONTARIO

*PRINTED BY ORDER OF PARLIAMENT*



OTTAWA  
PRINTED BY S. E. DAWSON, PRINTER TO THE QUEEN'S MOST  
EXCELLENT MAJESTY  
1895  
[No. 21—1894.]







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Hon. J. G. Bonine

TORONTO, FRIDAY, October 27th, 1893.

The Commission met at ten o'clock a.m.

*Present :*

Sir JOSEPH HICKSON, Chairman, presiding ; JUDGE McDONALD, REV. DR. McLEOD, MR. G. A. GIGAULT.

CHARLES GORDON RICHARDSON, on being duly sworn, deposed as follows :—

*By the Chairman :*

12403a. Do you hold any office or public position ?—I have the lectureship in chemistry at the Ontario Veterinary College.

12404a. Are you familiar with the terms of the Commission under which we are proceeding ?—I believe so.

12405a. Is there any statement you desire to make, taking the terms of the Commission as your text ?—I have paid considerable attention to the question of alcohol incidentally to my profession. In fact at the outset of my career, the study of the chemistry of micro-organisms was my hobby ; and of course, associated with this would be the study of the *saccharomyces* in alcohol. I was also for a time consulting chemist to the Brewers' Association of Canada, and in that connection obtained some knowledge both of the scientific and sociological aspects of the question. I did not take up the sociological aspect of the question until six or seven years ago, although I was fairly familiar with its scientific aspects. When I had my attention first drawn to the attitude of the prohibitionists and teetotallers on the question, I was amazed, on looking over their literature, to find so many misstatements in reference to the true teaching of science on the use of alcohol. There has been a great deal of controversy on both sides as to the true dictum of science on that subject. While I would condemn the general use of distilled liquors for general beverage purposes, I hold that there is the strongest distinction between them and the natural fermented liquors. Up to about the year 1840 almost all of the scientists were strongly in favour of the use of alcohol, in the form either of distilled or fermented liquors. About this time the teetotal movement was beginning to make itself known and felt, and a remark from Baron Liebig, the father of the modern physiological chemistry, was very much quoted. It was this, that there was not as much nutriment in a pint of beer as might be collected on the tip of a table knife. Now, Liebig meant this remark in one sense, while those pushing the movement in favour of total abstinence used it in a different sense. Liebig's idea was that only those substances which contained the element of nitrogen could be considered as foods. Up to Liebig's time alcohol had always been looked on as food. He had been led to propound this theory as one of the first to analyse organic substances and to arrive at some idea of their ultimate structure and the elements which went to their formation. He propounded the theory that the generation of vital energy, muscular energy, nervous energy, was the result of the decomposition in the body of these nitrogenous tissues ; and he as well as his followers were wont to assert that the amount of tissue which is broken up in the system by the expenditure of bodily or mental energy bore some direct relationship to the amount of energy expended ; that if a certain amount of work was gone through with, there would be a certain amount of muscle destroyed ; and hence, since this nitrogenous element was essential to the building up of muscular tissue, he made that broad distinction between all foods, dividing them into two great classes—

those which contained and those which did not contain nitrogen. The former he called tissue materials, and the latter respiratory materials, the function of which was simply to develop animal heat. At the time Liebig propounded this theory the means for testing it were exceedingly crude. While he was aware that the chief channel for the elimination from the body of the decomposed nitrogenous tissue was the kidneys, he had not been able to make a complete estimate of the same. As soon as the means for estimating it had been devised, this theory of Liebig's was put to the test, and it was found that so far from the amount of nitrogen eliminated bearing any relation to the amount of energy expended, the very opposite was the case. Hence, Liebig's doctrine fell to the ground. Liebig classed alcohol as a respiratory material second only to the fats. If his doctrine was unsound, we have to turn to some other direction for a definition of what may be considered to be true foods. At the present time it would be exceedingly difficult to say what is a true food, because all physiological chemists would class all the ingesta which are necessary for sustaining life and health as true and necessary foods—for instance, iron, phosphates, sodium, etc.; and alcohol is an especially active agent, inasmuch as while it is capable, by oxidation in the system, of yielding an immense amount of energy, it does not draw on the energy of other foods or the energy of the body in the process of digestion or assimilation. Liebig's doctrine, therefore, came to be abandoned even by the Baron himself; and I might here emphasize that point, because his dictum about the pint of beer and the tip of a table knife is still quoted in a good many circles as sound scientific truth. After his theory fell to the ground, alcohol assumed a foremost place, in the opinion of physiologists, as a food of the higher class. Shortly afterwards, however, three French chemists—Lallemand, Perrin and Duroy—investigated the action of alcohol in the human system. The result of their researches was published and created a considerable sensation. I am not certain of the date; but this was in the early forties. They claimed that alcohol was not utilized in the system, but that it passed through totally unchanged, simply exerting what Liebig would call a catalytic action in the body. This statement was a remarkable one and in no mind did it cause a greater change of opinion than in that of Professor W. B. Carpenter, the eminent physiologist. Almost immediately following this statement of the French chemists, Professor Carpenter published his work on alcohol in reference to the diseases of the brain, in which he took the ground that alcohol was simply a brain poison, that it exerted no influence for good whatever on the system, following up his statement by quoting the results of the researches of the three French chemists. Professor Carpenter afterwards had cause to change his views considerably, and allowed his book to pass out of print. This fact I state on the authority of his son, Professor Estlin Carpenter. However, following the publication of the treatise of the French chemists and that of Professor Carpenter's book, some of the greatest physiologists and chemists of the time, among whom were Dr. Anstie, the greatest authority that the scientific world has yet produced in reference to stimulant-narcotics and similar substances, Dr. Dupré, one of the chief analysts of the city of London and I think Professor of Physiology at Guy's Hospital, and Dr. Thudichum, Professor of Toxicology, I think, at Guy's Hospital London, took exception to the statements of the French chemists, and for this reason, that all their experiments had been conducted simply qualitatively, and there had been no quantitative experiments made. In other words, they simply detected the presence of alcohol in the secretions of the body, but never estimated the quantity—a serious omission in men claiming scientific accuracy. When they made the statement that the whole of the alcohol ingested was eliminated from the body in its natural condition—"en totalité et en nature"—The chemists and physiologists, then, took exception to the statement simply on quantitative grounds; but for two or three years nothing was done in the way of laboratory work, simply because it involved such an immense amount of work. But Dr. Anstie, at that time physician at Westminster Hospital, undertook to examine the question from a quantitative standpoint; and Dr. Dupré followed the work up. The first thing they did was to prove the delicacy of the test used by the French chemists, the chronic acid test, by which the presence of alcohol is indicated by a change in the colour from red to green. They were surprised to find that this re-agent would detect alcohol in such minute quantities as a third of a grain in a quart of urine or other liquid. To base any quantitative reasoning on such a de-

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licate qualitative test is absurd, to say the least. They applied a simple test, which, if the theory of the French chemists had been sound, would have shown a marked reaction in the liquid tested, namely, the specific gravity test. If a man takes two or three ounces of alcohol in the course of ten or twelve hours, according to the theory of the French chemists, it should pass out of the system in about twenty-four hours, and the hydrometer should show an alteration in the specific gravity of the urine. Still more, if the urine were subjected to fractional distillation, the alcohol ought to be revealed in certain quantities. But it eluded both the balances and the hydrometer. Then several delicate methods were used to estimate the quantity of alcohol passed; and they discovered that when only a certain limited quantity of alcohol had been ingested, no marked increase in the quantity of alcohol in the secretions took place. It did not matter whether a man took a very minute portion, say the twentieth part of an ounce, or whether he took as much as two ounces, provided that he did not take it all at once but distributed the two ounces over the twelve hours of the day time, no sensible increase was noticed in the amount of alcohol that was passed. Continuing their experiments, they found, by means of the chromic acid test, traces of alcohol in the secretions of men who had not taken any alcohol for some days, and in some instances for many weeks. These experiments were all conducted at Guy's Hospital and Westminster Hospital, so the men under the examination were continually under the eyes of Dr. Anstie and Dr. Dupré or Dr. Thudichum. Then they went still further, and found alcohol in the body of a confirmed teetotaler. So all the assertions of the French chemists were completely overturned, and a reaction began again in favour of the use of alcohol. Dr. Anstie continued his experiments, both with alcohol and with morphine, chloroform, ether and other stimulant-narcotics; and he was led to class alcohol apart from the majority of other stimulant-narcotics, and for this reason. He noticed that in the case of opium, chloroform, ether, chloral hydrate, and similar stimulant-narcotics which are properly called drugs, it was exceedingly easy to pass the safe limit—that it was almost impossible, except to the trained physiologist, to distinguish between their stimulant action on the one hand and their narcotic action on the other. Up to Dr. Anstie's time stimulant-narcotics were believed to have one action only: it was believed that stimulation was only the first stage, leading up to narcotism, and that narcotism was simply over-stimulation; and I am sorry to say that a great many physicians even at the present time believe the same thing, and even lecturers in many of our medical colleges fail to impress on their students the entire distinction which exists between stimulation and narcotism. They generally teach, quite erroneously, that narcotism proceeds from stimulation; that when alcohol or opium or some other stimulant-narcotic is administered, in small doses or in large doses, it matters not which, the first result is stimulation, and then, as the action of the drug is continued, the stimulation passes into narcotism, with the gradual death of the nerves and nervous centres. Anstie was the first to point out the absurdity of this idea, and all the leading physiologists of the day have unhesitatingly adopted his conclusion. I know of no physiologist or chemist of repute at the present time who maintains the view held previous to the time of Dr. Anstie. He pointed out that there is no such thing as what has been termed narcotism or reaction following the ingestion of a moderate dose either of alcohol, opium, strychnine, or any other of the stimulant-narcotics. This is a most important conclusion. There is no more reaction following the ingestion of a stimulant dose of alcohol than there is following the eating of a beefsteak or an ordinary meal. However, just as the ordinary meal or the beefsteak has to be renewed after it has become absorbed and assimilated in the system, so has the dose of alcohol to be renewed after it has become absorbed and assimilated in the system. In the case of alcohol, narcotism does not result ordinarily, unless more than, say on the average, two ounces has been ingested. Now, the amount of narcotism does not depend on the quantity of alcohol ingested into the system, but on the quantity in the circulation; and hence the confounding of stimulation and narcotism by the earlier physiologists and by many crude observers at the present time. Let us take the case of an ounce of alcohol ingested in the form of beer or wine or even spirits diluted with water. It is impossible for spirits to pass into the circulation without being diluted up to a certain point, and to an extreme point,



with water. It will not dialyse through the animal membranes in a strength of over one and a half per cent of alcohol. By the ingestion, then, of an ounce of alcohol it is impossible for the average man to become drunk or narcotized—he simply feels the stimulant action of the liquid to a greater or less extent—for the reason that while absorption is taking place at the same time assimilation is taking place, and it is being destroyed in the system as fast as it is being absorbed and assimilated. In the case of a man who has taken three or four ounces of strong spirit, however, in the first place, there is a passage of fluids from the circulation into the stomach to dilute the alcohol, and any action which is apparent at once on the ingestion of a strong dose is simply a reflex action caused by the action of the alcohol on the nerves of the stomach. After a time, as absorption of the alcohol into the system goes on, the man feels stimulated; but owing to the excessive quantity of alcohol in the stomach absorption continues to go on until there is more than the safe limit in the system, and the man is narcotized. That narcotism or drunkenness is due to the direct action of an excessive quantity of alcohol, and is not for one moment to be confounded with the stimulant effects of a reasonable quantity which is passed into the system in the ordinary habitual drinking of fermented liquors. In using distilled liquors men are more apt, because it is more easy, to pass the safe limit, especially those who have not educated themselves to notice the effects of liquors on the palate; whereas men who are accustomed to take the light fermented liquors which never in any case pass beyond twelve or fourteen per cent of alcohol, rarely get drunk. It is also a fact, I believe, that people who are in the habit of drinking wine, and have been accustomed from childhood to drink it, never take to whisky. They may take to brandy; but of their own desire they never take to whisky or the potato spirit, or any of the other stronger stimulants. It is only when they have been accustomed to the drinking of distilled liquors that men are in danger—and some men more than others—of passing the safe limit, and getting into the habit of drinking continually narcotic quantities. Is there any danger of the ordinary habitual drinking of fermented liquors passing into drunkenness? This, I think, is one of the most serious questions that a physiologist has to answer. Undoubtedly, with some dispositions, there is a likelihood of going to excess; but the question may be asked, are they any more likely to go to excess in the use of alcohol than in any other indulgence. There are men who cannot resist the temptation of going to excess, in almost every department of life. For these men there is of course nothing but total abstinence. But I believe—and the more attention I give to the subject, the stronger becomes my opinion—that the number of such cases is extremely limited. When we take into account the large bodies of men collected together in the cities and in the thickly populated countries of Europe, and also take into consideration the drinking customs not only of the day but of past ages, there are very few men comparatively—I would not like to speak in percentages even—who become habitual drunkards who would have become such had they stuck to the lighter fermented beverages. Take the custom of treating that prevails on this continent. I do not wish to be understood as condemning wholly the custom of treating at bars. It is simply an expression of good will and hospitality. But it undoubtedly causes a great amount of harm, and if it could be modified in any way, so that perpendicular drinking, as Dickens called it, could be done away with, I think an immense amount of good would result, and for this reason. A young man, just starting in life, goes into the bar of a hotel with a friend and has a drink with him, and he relishes that first drink, whether it is a drink of beer or spirits diluted with water, or a glass of wine. He had a desire—a natural desire—for it when he went in. After they have had this first drink, the friend turns round and says, "Will you have another?" Now, I think any one who has observed the custom, would say that in nine cases out of ten, the man refuses—he does not need the second glass. But the other presses—will not take "no" for an answer; and, simply to please that other man, he forces the second drink of liquor down his throat. This happens, not on one occasion, but on very many occasions. Sometimes, when a large number are present, he forces not merely the second, but the fourth or fifth, or, perhaps, a dozen, down his unwilling throat. Had he simply obeyed the instincts of his palate, an unerring guide, he never would have been led into taking excessive quantities, but he continually, day in and day out, week in and week out,

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year in and year out, abuses that delicate sense of taste in the palate, until at last it absolutely fails to give him any warning when he is taking a sufficient quantity, and not being accustomed to notice the effects on his system, he begins, after a time, to lose the sense of direct stimulation, and fancies he is not stimulated until he becomes narcotized, and the vaso-motor nerves begin to lose their functions. In the case of whisky or brandy, a man may readily pass the safe limit without any particular tax on the stomach, but in the case of lager beer or wine, it is absolutely impossible for the great majority of men to get drunk on either with any degree of comfort. If the question be asked, is alcohol a poison? as is very often alleged, I shall have to answer, with Dr. Anstie, Dr. Dupré and other physiologists, that it is undoubtedly a poison, if you speak of alcohol. But really, how many people drink alcohol? A few instances have come under my observation of men in the laboratory or the workshop who have become addicted to the use of alcohol per se, but even then when only diluted considerably with water. Per se, it is a poison undoubtedly. At the same time, we have to class it with a vast number of other substances which are also poisons, and which are used to an enormous extent in life. For instance, we take mustard, we take pepper, we take salt continually as condiments, and even more than as condiments, because they are a practical necessity of every-day life, especially salt. These in their purity and in large quantities are undoubtedly poisonous. Orfila, the great Swiss toxicologist, one of the greatest authorities on poisons, has given several instances in which death has occurred from excessive doses of salt. It is the same with tea and coffee. We use these beverages continually for their stimulant action, not for their narcotic action, although undoubtedly much of the tea drinking of the present day is narcotic in its effects but it would be absurd to condemn the general use of tea, simply on the ground that it contains a principle which when extracted and used in excess is an undoubted poison. So I would class alcohol in the same category as tea, coffee, cocoa, the extract of which cocaine, is very largely used in medical practice. With regard to the question of heredity, it has often been stated that the drinking customs of one age lead to excess in another and impart a hereditary pre-disposition to drunkenness—that drunkenness is inheritable. At first sight there would appear to be some truth in this assertion. We know on undoubted evidence that most evil practices are hereditary. But are the children of drunken parents, if excluded from the influence of such parents as they grow up, likely to become drunkards? They are as likely to be weak in any other direction as in the direction of alcohol; and the practical fact remains, which I think is a sufficient answer to the assertion that drunkenness is hereditary or that the drinking customs of one age lead to excessive drinking habits in the following age, that the history of nations does not show any such deterioration. Let us, for instance, take the fact as we find it in this Province of Ontario. I am but a very young man; yet I can remember the time when it was almost impossible to have a logging-bee or a barn-raising bee or any other kind of a bee without the accompaniment of a keg of whisky. The time was here when one could go nowhere and do nothing without an accompaniment of whisky; whisky on the farm, whisky in the counting house, whisky at the market. Now, that custom has gradually died out; we are becoming more and more temperate every day; and yet at the same time I doubt that the percentage of alcohol used has very much decreased. While the amount of alcohol per unit of the population is practically the same now, with slight variations, that it was thirty or forty or even twenty years ago, our people have changed in their tastes; they do not drink it in the same way or use the same class of liquors; and this has come about wholly without aid from law, being largely a matter of public sentiment. Again, take the case of Scotland or England. In preceding generations the saying "as sober as a judge" meant something very different from its literal meaning, because I believe that at one time there were very few judges who went to bed sober. In England in the past generation—and when I speak of the past generation I refer to the time of my father, who was born in 1800—and what I learned from him I have myself gathered from history—drunkenness was not looked on as a vice or sin. Public sentiment, however, without any aid of law, has stepped in and completely revolutionized the custom, so that if a gentleman now got drunk at the supper table and joined the ladies in a state of hilarity, I think his acquaintanceship in polite society would be very quickly dropped.

12406a. You were kind enough to place in my hands a little pamphlet prepared by yourself on the subject of the use of alcohol?—Yes.

12407a. Was this published under the auspices of the Liberal Temperance Union?—Yes.

12408a. Would you be kind enough to tell us the platform of that body?—These are its objects:—

1. The objects of the Union shall be the defence of individual liberty against undue state coercion, the protection of the rights of property against unjust encroachments, the education of public opinion in the principles of just, moderate and reasonable legislation as opposed to arbitrary and oppressive measures, the practice of strict sobriety by the members and its encouragement in others, the discouragement of the use of distilled liquors as beverages, the advocacy and support of a license law discriminating between distilled and fermented liquors, and the securing of an effective system of inspection to prevent the adulteration of all alcoholic drinks.

2. It shall be the duty of the Union through its officers and members to endeavour to induce sobriety amongst those with whom they come in contact and to reclaim persons addicted to the excessive use of intoxicants, to enlist licensed vendors of intoxicating liquors upon the side of temperance, to prevent by all proper means the issue of licenses to any but respectable persons, and to disseminate by literature and in other ways the true teachings of Scripture and science on the subject of temperance.

3. The Union recognizes the duty or expediency, in many cases, of total abstinence, and a pledge of total abstinence or any other pledge which does not violate the principles of Christian temperance, shall be amongst the means used in combating intemperance. The declaration of adherence to the objects of the Union shall constitute an obligation to practise sobriety.

12409a. On the back of this publication I notice a list of the officers of the National Liberal Temperance Union. Is that the same body?—The same body. I am no longer connected with it. I was at one time associated with Mr. Mowat as Secretary of the association, but I was obliged to resign owing to the press of my private duties, and I have not been able to follow what work has been done since. There were local unions for local work throughout the country, and the object of the National Union was to collect them all together in the same way.

12410a. Are they acting under the same platform?—I think so.

12411a. This pamphlet was issued in 1888?—Yes.

12412a. Who are the officers of the Union now? Are they the same?—I could not say. I think they are practically the same—Professor Goldwin Smith, President; and the Vice-Presidents, Dr. Thorburn, Dr. Larratt Smith, Mr. George R. R. Cockburn, and Professor Chapman, Mr. Cattanaach, who was a Vice President, is dead.

12413a. Can you tell us when this Union was organized?—I think in the latter end of 1884 or the beginning of 1885.

12414a. Who was the first President?—Professor Smith.

12415a. And he has continued President?—Yes.

*By Judge McDonald:*

12416a. Referring to the question of the chemical action of alcohol, last fall, when the Commission was at Nanaimo, British Columbia, we learned that on a Sunday evening in a pulpit there, a statement was made to this effect—or an experiment was performed to prove it—that if an egg is treated with alcohol or put into alcohol, it will become coagulated; and the theory advanced was that the effect of alcohol on the human stomach is the same. Have you studied that question?—Undoubtedly. Really, the statement raises a smile, because in the first place, while undiluted alcohol, or alcohol of considerable strength, say over twenty per cent, undoubtedly coagulates albumen, tea will do the same, but to a greater extent, because the tannic acid contained in the tea will combine chemically with the albumen and form “leather.” In the case of coagulation of albumen by alcohol, it does so only when the alcohol is tolerably strong, and it does so by the abstraction of water. Practically the same thing takes place by the action of the gastric juice of the stomach, for albumen, when it is ingested, becomes coagulated in the stomach before it undergoes digestion. So that it is highly absurd to perform such an experiment as that, claiming that it has any force with regard to the use of alcohol. Strong alcohol undoubtedly has an injurious effect on the stomach: but the coat of the stomach is protected against injury from any ordinary liquids, for instance, fermented liquors or alcoholic drinks below say twenty-five per cent.

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12417a. Supposing that the experiment with the egg were made with ale as ordinarily drunk?—It would have no effect whatever. It does not coagulate. It is only very strong alcohol that does so.

12418a. Have you seen the experiment tried?—I have done it myself.

12419a. Is the alcohol used pure alcohol or whisky?—I saw it performed in a pulpit in the County of Peterborough by, I think, Mr. Spence. It is a favourite experiment. On that occasion, from appearances, I judged the liquor used to be a very strong alcohol—either whisky or gin.

12420a. Ale would not have the effect?—No, unless some kind of bitters were used in the preparation, in which case small quantities would be precipitated by the tannin of the bitters.

12421a. Would lager beer be still less likely than ale to produce the effect?—Yes, for the reason that most of these liquors are clarified with isinglass.

12422a. Speaking of ale and beer, do they have different effects on different constitutions?—Undoubtedly. There are some people to whose constitutions beer is almost poisonous. At one time beer was a favorite drink of my own; but I cannot touch it now, especially the stronger ales. I can take a glass or two of light lager in a day very comfortably, but the hops seem to have a very deleterious effect on me.

12423a. Taking the general run of people, what would be the case in regard to beer?—Taking the average, I believe light fermented beers are of great value.

12424a. In regard to light clarets what do you say?—Clarets are wholly innocuous. They are a safe drink for the vast majority, even for delicate children.

12425a. How is it in regard to Canadian wines?—If you get a properly fermented wine, without any addition of sugar, it is extremely beneficial; but I am sorry to say that either large quantities of extraneous alcohol or large percentages of sugar are added. They are really not unsophisticated wines. Practically, in hotel bars it is very difficult to get a sound light wine.

12426a. Have you tested the wines as made at the vineyards by the grape growers who control the wine-making industry?—Yes. In very many instances I have found that there has been an addition of extraneous spirit. I am speaking now after having a complete analysis, and I know that it is to a considerable extent the custom in some of the large vineyards to add alcohol.

12427a. What is the object?—They have the idea it will keep better. But if the wine has been properly made and matured, there should be no necessity for it. Take the common Canadian wine of Pelee Island, the Catawba. I think you may safely put it down that not more than ten or fifteen per cent of the wine sold as Catawba is really Catawba. It is largely made up from other grapes than the Catawba. It is generally fermented apart from the skins, and a considerable quantity of silent spirit is added, which is the rectified spirit.

12428a. Do you know the wine called Saint Augustin?—No.

12429a. It is said that Dr. Richardson, who is the great authority quoted by many people on the subject of alcohol, has said that two ounces is a moderate quantity of alcohol. In taking claret or beer, what quantity of either of those would have to be drunk in order to take two ounces of alcohol?—In claret there is about twelve per cent of alcohol, so that it would be necessary to take a couple of pints in order to get two ounces of alcohol.

12430a. Which is the strongest kind of ale used?—The Scotch ale.

12431a. What percentage of alcohol does it contain?—Between seven and eight per cent.

12432a. What percentage is contained in the ordinary ale, such as is made in this city?—Between four and five per cent. It varies considerably.

12433a. Is that calculated upon a strength of fifty per cent?—No, that is absolute alcohol.

12434a. What is the case with lager beer?—The lager beer is very nearly the same. The only difference is a difference of fermentation.

12435a. In order to take the two ounces of alcohol spoken of by Dr. Richardson, how much lager would have to be consumed?—About a couple of pints. The effect of alcohol in the beer, however, is not the same as in the wine. A lady, who you would

not say was at all addicted to the use of liquors, might take in the case of champagne or sparkling Mosselle, more alcohol than a Somersetshire or Dorsetshire labourer would take in the case of beer. The labourer might become fuddled on a pint of beer, while the lady might take twice the quantity of alcohol without being affected.

12436a. Do you think that beer has largely taken the place of spirits in ordinary use, and that the change is promotive of sobriety?—Undoubtedly. The districts where I have noticed the greatest amount of intemperance have been always those places where beer, and especially lager, has been difficult to get.

12437a. Have you noticed that men who work on rafts or in the water are apt to consume considerable quantities of spirits?—Lumbermen undoubtedly do.

12438a. To what do you attribute that?—To their inability to get it moderately and continuously. They have long periods of total abstinence, and when they do get it they take it to excess.

12439a. Does the business in which they are engaged call for a greater degree of stimulant than the ordinary labourer requires?—They can consume a great deal more with less injury to the system. Seafaring men can take very much larger quantities of alcohol, even in the form of ardent spirits, than the ordinary labourer, and the ordinary labourer more than the man of sedentary habits.

12440a. In the case of men who work on rafts and in the water, would ale really answer the same purpose if they took it?—Yes, a strong Scotch ale.

12441a. Have you studied at all the question of the effect of the use of liquor in regard to length of life?—I looked that up some five or six years ago. I have not the statistics now at my fingers' ends. But I was convinced at the time, and I had the facts on which I based my opinion very much in my mind, that the moderate use of alcohol if anything conduces in longevity. Those insurance companies which were started some few years ago with total abstinence as part and parcel of their policy, and incorporated in the policies they issued, have in all cases gone up. The only exceptions are those insurance societies which include moderate drinkers. The statistics that have been put forward by these societies, in which comparisons have been made between total abstainers and drinkers, unfavourable to the drinkers, and which have been largely drawn on for the purposes of argument, have clouded the real facts. They have taken, not the statistics of the two classes in their own society, but the ordinary mortuary statistics and compared them with the class of total abstainers, so that the statistics of drunkards as well as moderate drinkers have been mixed together. They have two headings to their statistics—"total abstainers" and "temperate." Their total abstinence column is correct so far as it goes; but their "temperate" class has been taken from the ordinary mortuary returns, which include both temperate and intemperate.

12442a. In the ordinary statistics made up by public officials would not the heading "temperate" include both the total abstainer and the moderate drinker?—Now, I am referring to the insurance statistics.

12443a. Do you mean to say that the statistics of the ordinary insurance companies class all drunkards as temperate?—Agents, in order to get a risk, will often accept a man who is notoriously intemperate.

12444a. You mean, not that the word temperate is intended to apply to those who drink to excess, but that men who drink to excess are wrongfully placed in the temperate column?—That is my idea.

12445a. And therefore that column is not reliable?—Is not reliable for one moment—is totally erroneous.

12446a. Did you see the results put forward some time ago by the British Medical Association in regard to the effect upon life of total abstinence?—That is open to the same objection. It was conducted under practically teetotal auspices, and to speak plainly the figures were considerably juggled with. What they classed as "temperate" they really took from the ordinary mortuary returns.

12447a. We had before us the other day a physician who told us that the drinking of beer was the cause of a great deal of Bright's disease, and that of a certain number of beer drinkers in the locality in which he had practised, every one except one had died of Bright's disease. What is your opinion as to whether Bright's disease is induced by the use of either spirituous or fermented liquors, and if it is, to what extent?—I

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would speak as a physiological chemist: I would not speak as a medical man, because a medical man would have better reason to speak from experience. The ordinary doctor, however, is very apt to jump to conclusions. The best authorities undoubtedly consider Bright's disease to be very largely induced by intemperance in alcoholic liquors; it need not be beer or wine or spirits exclusively. Beer in my opinion, and I think in the opinion of the majority of physiologists, is undoubtedly a very large source of Bright's disease; but there are numberless cases of Bright's disease among total abstainers. It is not necessarily a drunkard's disease any more than nephritis (inflammation of the kidneys) or hepatitis (inflammation of the liver), while they are concomitant to a greater or less extent of drinking habits.

12448a. As I understand, you favour ordinarily for man the use of beer as a beverage?—Light wines, not beer, because in this country I find the heavier beers are not altogether beneficial.

12449a. In the case of a man troubled with Bright's disease, would it be wise to abstain entirely from beer?—Yes, but to take alcohol in some other form.

12450a. In the shape of light wines would it be hurtful to him?—I think not, and that is the opinion of Dr. Dupré, the greatest living authority on the use of alcohol.

12451a. We find that there exists quite a difference of opinion among the different religious bodies as to the use of wine in the sacrament or Holy Communion. I do not propose to ask you anything of it from a theological or scriptural standpoint; but I would ask you whether you have had occasion to examine at all into the question of the substances which are used in some religious bodies who from principle will not use fermented wine?—They are simply syrups; although in one case I—and two or three other chemists have done the same—came across a cider that had been sweetened up and coloured, and that contained a certain proportion of alcohol, one or two per cent; that was sold as an unfermented beverage in Toronto.

12452a. Was that put forward for sacramental purposes on the ground that it was free from fermentation?—Yes, but it really was not. I might say, in reference to this unfermented wine theory, that so far as the history of alcoholic beverages goes, we absolutely know of nothing like unfermented wine. In fact, it is a contradiction in terms. The unfermented wine theory was really an ingenious device put forward to get the teetotallers out of a very uncomfortable position. While the Scriptures inculcated the use of wine in moderation, it was useless for them to talk or preach of total abstinence to the community at large. Paul says undoubtedly: "If thy right hand offend thee, cut it off;" but he did not say: "If thy right hand offend thee, cut it off and cut off thy neighbour's also." The truth is that in the Scriptures, old and new, where wine is spoken of, it is almost invariably represented as intoxicating. What was the wine on which Noah got drunk? What was the wine spoken of as making the eyes red? An instance is also given of an adulterated wine when the question is asked: "Who hath woe? Who hath sorrow? Who hath redness of eyes?" and so on. "They that tarry long at the wine; they that go to seek mixed wine." "Look not thou upon the wine when it is red, when it giveth its colour in the cup, when it moveth itself aright." An undoubted description of an adulterated wine. The evils of adulteration were undoubtedly as well known to the ancient writers as they are to modern science. The wine that our Saviour used at the last supper, it has been claimed, could not be fermented, because it had not time to ferment. Then it had not time to become the juice of the grape, the grape had not time to grow, and the whole force of the miracle is lost. Besides, all profane writers in the earlier ages, in giving descriptions of the manufacture of wine, never referred to any such thing as unfermented wine. Wherever an unfermented liquor is spoken of it is invariably referred to as a syrup. These were thick, boiled-down liquids, and they were never by any chance referred to as wine.

12453a. Do you know whether in the making of the so-called unfermented wines which are used for sacramental purposes, salicylic acid is used?—It is to a certain extent.

12454a. For what purpose?—To prevent fermentation. But it is not used to such an extent as formerly, because it was found that so large a quantity had to be used. What is most generally used as unfermented wine is Pasteurized grape syrup, which is obtained by bottling the syrup up and putting it into boiling water or subjecting it to

the action of steam, and letting it cool again. In that way the cells by which fermentation is induced are destroyed. The special agent in the production of alcohol, the genus *saccharomyces*, has no advantage over vegetable or animal cells in that respect except in causing the fermentation in a more marked degree. If the grape itself were cut from the vine and put into a sealed jar, and the greatest possible care taken to prevent injury to the skin, so that no extraneous ferment might make its way into the juice, still alcohol in considerable quantities would be formed by the action of the fruit cells themselves. This has been abundantly proved by Schutzenburger, the greatest modern authority on fermentation. He took a large number of fruits—pears, apples, apricots, peaches—and isolated them from the parent stem, taking all the necessary precautions to prevent fermentation, and he found that alcohol was produced by the cells of the fruits themselves in as large quantities as from one-half to one per cent. In the case of some three or four large Jersey pears, I think he was able to get as much as half an ounce of alcohol. So that alcohol is simply a half-way stage, so to speak, between the conversion of starch into sugar on the one hand, and the conversion of sugar into carbon dioxide and water on the other, the final stage of fermentation.

12455a. It has been said that athletes preparing for contests of any kind, abstain from the use of alcohol. Have you any knowledge as to that?—That has not been the practice in general. If we take the dietary of the Oxford and Cambridge crews, probably the most scientific dietary in the world, we find that a pint of beer is included in it. The only notorious case of any great feat having been accomplished on water was one of Weston's feats of walking; I think it was one hundred miles in a hundred hours. But he surpassed himself in a subsequent effort, in which he used I think, four or five ounces of champagne during the day; and his feat has been surpassed by another Englishman, who accomplished a much greater distance on beer. There is no absolute rule to guide athletes. The only rule to which we can refer is that of the dietaries of the Oxford and Cambridge crews.

12456a. Given a drink, say beer, containing we will say six per cent of alcohol, and another drink containing three per cent, can you tell us whether it would require double the quantity of the latter to have the same effect as the former?—No, it is very hard to say that, because the effect varies with different constitutions, and alcohol exerts different effects in different liquids. You cannot say that ten or twelve per cent of alcohol in wine exerts the same or anything like the same effect as four or five per cent in beer. In fact, I may say that some years ago, even when I was a student, I came to the conclusion that alcohol as alcohol does not exist in fermented liquors, it is so combined chemically with the different ethers and salts and other constituents of these liquors. This is now being taken up by some of the leading chemical thinkers of the present day on what is called the theory of solution. For instance, when we put salt in water, a chemist of the present day would hesitate to say that it existed as salt in water, as there is to a greater or less extent a chemical combination of the elements of water with the salt, and a partial decomposition takes place. In the same way I claim that in fermented liquors alcohol as such does not exist, and therefore the physiological effects of different drinks vary exceedingly, and the amount of alcohol that may be extracted as such is no guide to the physiological action of any unfermented liquor.

12457a. Have you studied the question of heredity in connection with the alcohol habit?—I have to some extent, as far as a young man of my age could, and also of course, in all the works I could obtain on the subject.

12458a. What has been the result of your investigation or study?—I think heredity plays a very small part in the question of drunkenness. Children who inherit weak natures from parents who have never touched alcohol are very much more likely to take to liquor than strong healthy children of parents who in the matter of liquor have not been so abstemious.

12459a. Have you studied the question at all in connection with the statistics of insanity? If so, with what result?—So far as the statistics of insanity are concerned, I think they are simply silent. Until comparatively recent years it was almost impossible to get even ordinary statistics on the subject. Tuke, a great authority, in his work on "Liquor and Insanity," points out that there is little or nothing in the theory of heredity, and as I said before, that the men who have inherited weak natures are as likely

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to become insane from any other cause as of that intemperance, though undoubtedly in a large number of instances alcohol is the exciting cause—not the predisposing cause, but the exciting cause. In other words, says Tuke, a man is mentally on the balance between insanity and sanity, and it just needs an excess in anything, it matters not whether it is alcohol or tea or venery, to tumble him over into the abyss of insanity.

12460a. Can you tell us, as the result of your observation, whether insanity has been increasing or not in the last few years?—If you were simply to take the statistics, yes.

12461a. We are told that temperance has been greatly increasing year by year?—Here you have on the one hand an increase of insanity as given by the statistics, and on the other hand an increase of temperance. I might say that this would prove that temperance was a very bad thing from a sanitary point of view.

12462a. That would hardly be a fair conclusion?—Of course, it would be a *post hoc* argument.

12463a. Nobody would assert for a moment that temperance was a predisposing cause of insanity; but the question is whether the fact may not suggest the question as to there being other causes or influences which are more likely to produce insanity?—I think that to take the statistics just as a casual observer might, and use them as a basis for a special line of argument, would be both unwise and wrong, for this reason. While the number of cases of insanity has undoubtedly increased, a good deal of the increase is more apparent than real on account of the greater facilities that now exist for placing patients in the asylums both public and private. The patients get very much better treatment in the asylums now than they do at home. Our asylum treatment is very much improved. People do not hesitate as they did in former years to have their friends committed. In all these ways there may be an apparent increase of insanity.

12464a. Have you considered at all whether the conditions of modern life in the way of the rush of business and fast living—I mean living at a high pressure—have been a predisposing cause of insanity?—Undoubtedly they are, but not to so great an extent as you might imagine. The asylum is more largely recruited from the farming community. In fact, they furnish the overwhelming preponderance of the insane; and yet the farming community, speaking generally, so far as alcoholic liquors are concerned, are very temperate. While business troubles undoubtedly cause a very large proportion of the cases of insanity, still, in many instances, as Dr. Tuke and Dr. Bucknill have pointed out, much of this insanity could be prevented by the timely use of alcohol. In the end of my work I have quoted the opinion of Dr. Bucknill in these words: “Alcohol in its physiological action is striptic, retarding the disintegration of the tissues, especially of the nerve tissue; and when the brain is wearing itself into madness, alcohol, at the right time, and in the right doses, without doubt sometimes checks the ebb-tide of reason.” Neither Dr. Bucknill, nor Dr. Tuke are by any means prejudiced in favour of the use of alcohol, because in no other country, if I except the northern districts of France, is there so large a proportion of insanity in connection with intemperance in the use of liquor as there is in England, especially in London.

12465a. You have told us the effect of spirits as distinguished from beer, and *vice versa*. Can you tell us whether the ordinary whisky of commerce, when diluted with water is injurious?—No. I have considerably modified my views in reference to that. Some five or six years ago I was more inclined to place whisky completely on the shelf as a beverage than I am at the present time. I think there are a large class of persons to whom beer is not suitable; and in those cases, where they cannot get a wine which suits their constitution at a reasonable price—and this must always be taken into consideration in dealing with the habits of the people—then, a good unadulterated whisky, properly diluted down to about fifteen per cent of alcohol, is a very good substitute for all the other liquors, and in fact mostly beneficial.

12466a. Is there a beneficial effect produced by the regulation which has been in force some considerable time, requiring whisky to be kept two years before it is sold?—If whisky were made at the present time exactly as it used to be some fifteen or twenty or twenty-five years ago, there undoubtedly would be. But, practically, there are now two methods of manufacturing whisky. By far the larger proportion is manufactured from what are called silent spirits, with the addition of the others to make up the requisite flavour. Very many

of our distillers take away the fusil oil from the whisky by a direct process, and the Government, I believe, gives them a rebate on that as it is destroyed. When that is done, there is no necessity for the keeping of the whisky for two years. But where the whisky is properly made—and I use the term “properly made” advisedly—where the fermented liquor is simply distilled, and all the different alcohols are allowed to pass over with the fusil oil, and the whole is then allowed to mature in the wood until the fusil oil gradually breaks up of its own accord into the different ethers; in that way you get a natural spirit blended in such a way that it is impossible to imitate it by any quick direct method, such as taking the silent spirits and adding the ethers. But to get such a result, it is absolutely necessary to allow the liquor to mature for two or three years. Under such circumstances, the two years limit would be a very beneficial and wise arrangement.

12467a. Then the two years limit is really in the interest of the consumer?—It is really in the interest of the consumer of a naturally blended whisky, undoubtedly.

12468a. Does the individual constitution have anything to do with the quantity that may be safely taken?—Oh, yes.

12469a. Of any of these beverages?—Of any of these beverages. In my own case, for instance, I find that it is impossible to take one glass of American lager, while a friend of mine can take three or four comfortably, and relish them.

12470a. I think that you have told us that even the constitution of a total abstainer becomes possessed by a certain quantity of alcohol by a natural process?—Yes. Alcohol is a natural substance, caused by the breaking up of starch or sugar, and its passage into carbon dioxide. It is the halfway point.

12471a. It is, I suppose, an undoubted fact that those who have conducted arctic explorations, and those who have commanded British military expeditions into torrid countries, have favoured total abstinence on the part of the men under their command. To what do you attribute that?—I am not aware that they have had total abstinence. I know of no expedition that has been conducted on what we mean by total abstinence. Even in the Egyptian campaign under General Wolseley, moderate rations of alcoholic liquors were served out to the men after a fatiguing day. But, in these cases, the alcohol was never put between the men and their work; it was after the fatigue was over, that the beneficial results of it were noticed. Dr. Parkes conducted a series of very lengthy experiments on this point during the Ashantee campaign. He noticed—and he was a man who, if anything, leaned towards teetotalism—that when alcohol was served out to the soldiers at the beginning of the day, little or no benefit resulted; in fact, if anything, it was detrimental; but at the close of the day's work, when the men were fatigued and tired, too tired almost to eat, a moderate ration of spirits proved, on the whole, beneficial. In the case of Arctic explorers, spirits have been used both moderately and immoderately. Wherever they have not been used with great caution, disastrous effects have undoubtedly been noticed. That is due to the very rapid oxidation of alcohol in those latitudes, where the heavier fats are, in general, far more beneficial.

12472a. Do you remember whether the experience in the Arctic explorations was that persons who did not take spirits at all could stand the cold better than those who took them even to a moderate degree?—Undoubtedly, in issuing out it is very dangerous to take spirits; but in coming in from the cold into the huts or cabins, where the temperature was considerably higher than the outdoor temperature, they found that a moderate dose of spirits tended to relieve the congestion and acted as a safeguard against pulmonary affections.

12473a. In the use of intoxicants as beverages, is there any difference whether they are taken with a meal or taken by themselves?—There is a marked distinction, even in the case of wine or beer. It is not well to drink much between meals, although I would not set too great store by that. In the case of spirits or the heavier wines, notably the sherries, the best time to take them is at a meal time—not previously, but during or after the meal. On the continent of Europe, especially among the French, the habit prevails of taking a glass of champagne previous to dinner, which is possibly the best time to take it.

12474a. Speaking of France, it has been stated that of late years there has been an increase of intemperance in the northern part of that country; and by some it is contended that this is an outcome of the drinking of light wines by which a taste has been

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acquired for the stronger alcoholic drinks, while others say that owing to, the phylloxera having injured the grapes, good wine has been lessened in quantity and increased in price, and the people have substituted other alcoholic drinks for wine. Are you in a position to speak, from investigations you have made, as to what the true state of things is?—I know practically nothing from my own observation, although I made some researches and inquiries during a visit to Bagnères de Bigorre in the south of France. An uncle of mine has been connected with the Department at Calais for forty-five years, and in a conversation I had with him and from some writings that he has favoured me with, I am confident that the cause of the drunkenness in the north of France, especially in some of the manufacturing towns, has been due to just what you have stated—the destruction of the vines. It was almost impossible for three or four years to get *vin ordinaire* in the ordinary wine shops. In fact, all that was sold was sophisticated. In Paris and in many other parts of France I believe there are a large number of shops where nothing but sophisticated wines are sold to the poorer classes, who cannot afford to buy the more expensive German wines. At the same time, with the destruction of the vines by the phylloxera, the French Government, I believe, added an import on Rhine wines, so that many of the people were forced to take the potato spirit. In Paris the lower class workman drinks absinthe, but he has always done that.

12475a. How about the section of France you visited, in the South?—There, I never knew or heard of any cases of drunkenness. My mother's family are French descended from Italian families, through whom we can trace many generations. In all that time they have had their vineyards and have made wine and drunk wine and given it to their children, almost from the time they have left the breast, and I have never known of any case of drunkenness or intemperance in the family, which is a large one. The same custom is observed in Spain.

12476a. Taking the authorities of recent times, the chemists and medical men, how do they stand in regard to the question of the use of alcohol for beverage purposes?—Ordinary medical men differ very widely. If I were to refer to the recognized authorities, I find that Dr. Hammond, the greatest living authority, since the death of Charcot, on the brain, is unhesitatingly in favour of the moderate use of alcoholic liquors. The same is true of Dr. Bernays, Dr. Alfred Gerod, and in fact any of the great leading authorities. I except one man who is very much quoted, Dr. Richardson. I know of none of them, with the exception of Sir William Gull, who would not say that the moderate general use of fermented drinks is beneficial. Even Sir William Gull makes some admissions. He points out that to the labouring man the glass of beer is not only not harmful, but mostly beneficial, and in the case of the business man he says the glass of claret is undoubtedly beneficial. Dr. Richardson is very largely known simply because of the persistence with which the teetotallers have pushed him forward. I would like to know what rank Dr. Richardson takes as a scientist. He has attained some prominence in connection with the question of the use of chloral hydrate. But some years ago when I was a student in London, I was present at a dinner of the Harveyan Society at which Dr. Richardson made a speech, in which, referring to chloral hydrate, he expressed regret that he had ever anything to do with its introduction into medical practice. A man who could make such a statement as that in the presence of a large number of doctors, all of whom were smiling, could hardly be said to be responsible for his scientific utterances. Again, at the end of my work I have quoted the following statement of Dr. Richardson on the action of the alcohol on the body: "It will be asked: Was there no evidence of any useful service rendered by the agent in the midst of so much obvious evidence of bad service? I answer to that question that there was no such evidence and there is none. It is an agent as potent for evil as it is helpless for good." When a man can make that statement in the face of the utterances of such men as Anstie, Dupré, Thudichum, Charcot, Pasteur, and others of the greatest scientists of the present or the past generation, who are unanimously in favour of the moderate use of alcohol, what importance can be attached to anything else he may say on questions of science.

12477a. Have you had any experience of the working of a prohibitory law?—I have been in Portland, but not for a sufficient length of time to form any opinion from my personal observation.



12478a. Have you had any experience of the working of a prohibitory law in any part of Canada?—I have observed the effects of the Scott Act in Ontario.

12479a. In what county?—In the counties of Peterborough, Halton and Ontario.

12480a. How did you find things in the County of Peterborough?—There were spasmodic efforts at enforcement there. In the town of Peterborough it would be sometimes a little difficult for a stranger to get liquor. To those who were known, however, it was not. In that town there was a man appointed as a Scott Act Magistrate under the provisions of the Act; I think his name was Dumble. He was, I believe, the secretary or president of the Scott Act Association, a man of very bitter feelings, and he was continually bringing up the liquor sellers. But even with all the resources he had at his command, and in spite of his living in the town itself, there was no difficulty in any resident obtaining liquor; and the result was disastrous, because it was simply breeding a number of sneaks.

12481a. What was your experience in the County of Ontario?—The same.

12482a. In what part of Ontario?—Oshawa and Whitby. In Oshawa, as in Peterborough, there were spasmodic efforts to enforce the Act, and I was led to believe that the periods of its enforcement were even worse in their effects on the community than the periods in which open sale practically went on. When there was open sale men did not go out of their way to get liquor, or carry it about with them. In Peterborough, Oshawa, Whitby and dozens of other towns and villages that I could cite, energetic attempts at stringently enforcing the law simply resulted in men carrying liquor about with them wherever they went. On one occasion, when I was at the town of Milton in the County of Halton, two Methodist evangelists were holding meetings in the Methodist church there. At that time statements had been made in Toronto and elsewhere that the Act was stringently enforced, and that alcohol could not be obtained in any form, in the town of Milton. At that very time several youths got bottles of liquor, and went into the gallery of the Methodist church during one of the meetings and got drunk and created a great uproar. They locked the door so that they could not be got at, and for a time the place was a pandemonium.

12483a. Do you know this personally as a fact?—I was not in the church, but I was in the town of Milton at the time. It was commonly current on the street, and was published in the Milton Champion, and I have not been able to find any contradiction of it. At any rate, drunkenness was prevalent. The worst feature was the youthful depravity; boys seemed to think it was a manly thing to get a bottle of whisky and go out to the fields and get drunk. In one instance three or four youths, all under fifteen, got a couple of bottles of whisky, and took some girl with them and made her drunk, and there was a terrible scene of debauchery right outside of the town of Milton. These facts were published in the papers of Milton at the time.

12484a. Do you know whether the authorities of Milton tried to stop these things?—Most decidedly. They were trying to enforce the law to the utmost of their power.

12485a. Are you acquainted with the high constable there, Mr. Bradley?—No, I am not. They resorted to all measures that were practicable, under one of the most arbitrary laws that ever disgraced a Statute-book, to enforce it.

12486a. Do you yourself favour the enactment of a prohibitory law for the Dominion prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes?—No, sir. I think it would be a most unwise and unjust measure.

12487a. In case such a law were passed, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—Undoubtedly, owing to their long continuance in the business. If it was a business that had grown up in a few years and had always been looked upon as an unsafe business so far as its prospects were concerned, the case would be different.

*By the Chairman:*

12488a. Did you state in your evidence that no alcohol was allowed to the men of Lord Wolseley's force going to the Red River?—I did not say that. On the Red River expedition the matter was wholly in the hands of the physicians. In ordinary campaigns up to that time alcohol had been generally served out like all other foods, and Wolseley was one of the first, I think, in the British army to limit the suggestion of its

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use to the physician in charge. So the statement could not be made that no alcohol was used. It was not served out as an ordinary dietary allowance ; neither was it in the Ashantee campaign.

12489a. Do you know as a matter of fact whether the physicians allowed the men to have alcohol ?—I believe so.

12490a. I have here a public school book on "Physiology and Temperance," authorized by the Education Department for use in the schools, in which, at page 104, there is a paragraph which reads as follows : "Lord Wolseley, on his Red River expedition, did not allow spirits to his men, although they had to work hard, and were sometimes wet through for days together." Is that a correct statement ?—That is correct as far as the dietary allowance was concerned. The giving of alcohol was limited to the physicians.

12491a. Is it correct to say that the men were not allowed spirits ?—Yes, that is correct.

*By Rev. Dr. MacLeod :*

12492a. Without controverting your theories, Professor Richardson, for that is not our business, I would ask do you think the liquor traffic, as established, is necessary in order to such use as you think is warranted ?—Speaking broadly, yes.

12493a. Do you think the liquor traffic, as established, promotes the health of the people ?—I do undoubtedly.

12494a. And as carried on ?—Not altogether. I would have to qualify, because there are evils incident to all trades, and it is almost impossible to frame legislation in such a way as to completely eradicate those evils. We have, as practical men, to face those evils and reduce them to the lowest possible limit. If, however, you come down at one fell swoop and wipe out the whole use of alcohol for beverage purposes, and therefore for food purposes, you practically have to wipe out its use for medicinal purposes, for who is to say, even the most careful physician, where disease begins and health ends. If, therefore, we were to wipe out alcohol, we would wipe out one of the greatest blessings conferred on humanity. I have been in the purlieus of London and those of the continent ; I have been in those of Glasgow, where you will see the evils of intemperance perhaps at their worst ; I have been in the salt market of Liverpool ; and taking into consideration, as an honest man, all the evils I have seen of the excessive use of alcohol, I must still say as a scientist that its average use is a benefit to the human race.

12495a. Then are we to understand that you believe that the liquor traffic, as established, promotes the health of the people ?—Broadly speaking, yes. There are very many of the customs that I should like to see modified. For instance, instead of the perpendicular bar drinking, I should like to see the continental system of tables adopted.

12496a. Is there any difference in the effects on the man between perpendicular drinking and the other ?—It is not that ; it is the number of drinks taken. Then, the liquor is taken down at one gulp. Even beer is not taken as the Germans take it, allowing a considerable time to pass between the sips. Men sitting at a table will spend a considerable time in conversation even when consuming spirits, and liquor drunk in that way has not the same effect on the coat of the stomach as it has when it is taken down at a gulp. There is a marked distinction.

12497a. Do you think the liquor trade as established and carried on promotes the prosperity of the people ?—Just in the same way as the boot trade, the butcher trade or any other. I believe it provides one of our daily needs.

12498a. You put them in the same category ?—I put them in the same category.

12499a. Do you think the liquor trade as carried on promotes the morals of the people ?—When used in moderation, yes, just in the same way that marriage promotes the morality of a people, while promiscuous intercourse does not.

12500a. Does the liquor trade as carried on encourage what you regard as the moderate use of liquors ?—In some instances, no. I am afraid that owing to the efforts of many of our citizens the trade is sometimes put into the hands of not the best class of people. In fact, it is the avowed object of one class of our citizens to make the trade disreputable.

12501a. What class?—I am now quoting the statement of the leading organ of the prohibitionists in Canada, the *Canada Citizen*, in which it was said that it was not their object to make the trade respectable, that they did not wish to see it go into the hands of respectable people. If that is the case with regard to a trade which may become dangerous in the hands of men who will try to force men to drink, there must undoubtedly great evils result. But in all those countries where the seller is tolerably certain of his license, where he has not been harrassed by vexatious and meddling petty legislation, as a rule they will not push for sales.

12502a. What do you regard as vexatious and meddling petty legislation in connection with the liquor traffic?—Cutting off a number of licenses without the slightest regard for the trade; making the business extremely precarious; in some instances also, I might say making the trade political.

12503a. You think there are some instances in which the trade as carried on does not induce men to use liquor?—Yes. There are men in the trade who would be a disgrace in any trade.

12504a. Are the instances of that kind more or less than those of the other kind?—I would not like to give statistics, but I know there are a large number of men whom I should like to see wiped out of the business.

12505a. In Toronto as well as elsewhere?—Not so much in Toronto, because I think in general our hotel-keepers here are good citizens and well intentioned men.

12506a. Still, in Toronto you think the license law is not as judiciously administered as it might be?—It is impossible to make it perfect, but on the whole it is fairly satisfactory.

12507a. Would you make any changes in the regulations governing the liquor traffic?—What regulations I would make, and would simply offer as suggestions, would be in the direction of encouraging the manufacture of wine in Ontario, for which, so far as light wines are concerned, there is not a better climate in the world. I would also suggest the use of very much lighter malt liquors than are at present manufactured. The trade here, even in regard to lagers, incline too much to heaviness. As I said some time previously, there is scarcely any difference, so far as the alcoholic and other constituents are concerned, between lager and other beers. In the United States and Germany the lager rarely runs over one and a-half per cent of alcohol, and is a very much better beverage than that which we get here under the name of lager. I would try to get those lighter liquors substituted as far as possible consistently with the health and habits of the people, by legislation favouring their use; not making them too expensive; for instance, not putting too heavy a tax on malt or rice or any other substance that could be and would be used for the manufacture of fermented liquors, and throwing the tax more heavily on distilled liquors, although it would be unwise to make even those too expensive. I do not know even whether it would be wise to force the price of whisky up to ten cents a glass. There are a large class of persons to whom whisky well diluted is exceedingly beneficial. Then, I would back such a law up with an Adulteration Act similar to the Adulteration Act in use in London, England, where the constables or any person having control of the trade can go into any public house and take samples for analysis. We have in Canada an Adulteration Act, but the cases of inspection are few and far between. There is nothing like a systematic examination of liquors. I would not allow any general saloons, that is, places for nothing but drinking purposes.

12508a. Do you believe that there are many such places in Toronto?—There are saloon licenses—I do not know how many now.

12509a. You think they are objectionable?—They are not generally objectionable but they have that feature about them, that men simply go there to drink.

12510a. You believe then in legislation that discriminates somewhat?—Discriminatory legislation, and as I said, the substitution of tables. That, however, I believe is gradually coming about. I do not know whether it would be well to hasten it by means of legislation or otherwise.

12511a. Do you remember a little while ago, in Boston they passed a law which made a man sit down to take his drink?—I do not think it would be very wise to push it. You cannot push these things. Legislation is simply a matter of compromise.

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12512a. Do you think it would be well to treat the traffic in alcohol as the traffic in other goods is treated?—No, I think not, because a man who is fairly observant of himself is a far better judge of what suits his constitution than any physician can possibly be.

12513a. You think then that each person is to determine the quantity and the character of the stimulant used?—Undoubtedly, because like Anstie I do not place alcohol in the same category with theine or opium, or hashis or any similar drug.

12514a. We are scarcely to regard you as a scientist who believes in the indiscriminate use of alcohol?—Oh, no. No doctor or chemist or sane man would believe in the indiscriminate use. But what does the word mean?

12515a. It suggests the question again, who is to determine the quantity used by each individual? Is each person to be a law to himself?—Very largely he must. If we believe at all in religion or the future state, we believe that a man must be judged on his own merits.

12516a. From your observation do you believe the ordinary man is able to determine and does determine judiciously?—Practically he is, and I will give you an illustration of the reason that leads me to speak so positively. Take the use of lager and the use of whisky. Lager is drunk very generally through the summer time. Any brewer will tell you that his sales of lager fall off enormously during the winter, and there is a corresponding increase in the use of whisky. What is the reason of that? It is simply this, that in the summer time lager acts as a stimulant to the kidneys, relieving the liver, which is overworked. In the winter time the reverse is the case; the kidneys are overworked, and the liver not as much, then the lager would be injurious, while the whisky is beneficial. Although most men are unaware of this scientific fact, the practical fact is that they do discriminate.

12517a. The use of alcohol does do some harm you say?—Yes, just the same as the use of tea.

12518a. To a large number, do you think?—Yes, a very large number.

12519a. Is that because they are not able to judge of the quantity to be used?—Not so much as because of the continued habit of treating, as I have said.

12520a. That is why you would have the facilities for treating removed?—Perpendicular treating, where there are as many drinks as there are individuals. I should prefer to have them sit down at a table instead of standing before a bar. I distinguish between that style of drinking and the absurd custom of treating around all hands.

12521a. You said there has been a great change in the drinking customs within your own recollection?—In my own recollection it has been marked.

12522a. Has that change been for the good?—Undoubtedly.

12523a. What has brought it about?—The facilities for healthier amusements. I think that one thing the teetotal societies deserve credit for is that throughout the country villages they have instituted intellectual amusements. Then there has been an increase of education and a change in the sentiment of the people. They have also been able to get better liquors and liquors of less alcoholic strength than they formerly could. All these influences, combined with the cheapness of tea and coffee and other beverages, have helped to bring about the result.

12524a. You think the temperance agitation has contributed somewhat to it?—I could not believe for one moment that any movement is wholly devoid of good.

12525a. Do you think the laws that have been enacted embodying the increased restrictions that have been thrown about the trade have had any effect?—In so far as it has tended to prevent the trade being left in the hands of every Tom, Dick and Harry around the country. Undoubtedly past legislation has been effective, but only in so far as it has met with the general sympathies of the people.

12526a. Do you think that this change has been attended also by a change in the status of the traffic?—That I would not like to give an opinion on, because being only a young man I could not say positively whether there has been a change in the personnel of the trade. If I am to take history for it, English history especially, "mine host" of the public inn was a very respectable personage at one time; but while we have undoubted evidence of respectability in the trade, there were undoubtedly great evils and great degradation and great immorality amongst the lower classes of the trade, as exemplified in Hogarth's pictures of "Beer Lane" and "Gin Lane."

12527a. Do you regard alcohol as an economical food?—Undoubtedly. It is about one of the cheapest classes of the foods which are more especially termed stimulant-narcotics.

12528a. Do you think the excessive use of alcohol has a weakening tendency, and that the effects are discernable in the offspring of persons who use it excessively?—Yes, undoubtedly, although, as I said before, the child might not be led along the line of intemperance in alcoholic liquors. He might be intemperate in other ways.

12529a. For instance, is there a tendency to brain or nervous weakness in the child of such parents?—Undoubtedly; where the child is the result of a connection while the parent was under the influence of liquor, he could not help being so. We have undoubted evidences of epilepsy and insanity having been caused under such circumstances.

12530a. I see that at one time you were one of the secretaries of the Liberal Temperance Union, one object of which, among others, was "the advocacy and support of a license law discriminating between distilled and fermented liquors." Will you explain just what that means?—What we meant was that there should be a very much less tax or license for the simple sale of beer and wine than there should be in the case of spirituous liquors. The Ontario Government have to a certain degree adopted our suggestions in reference to that; and they also, as the result of some investigations which I made for the then Commissioner, the Hon. Mr. Hardy, made some slight changes in the direction of favouring beer and wine, especially wine, and raising slightly the alcohol limit. These were the lines on which we were trying to move. I do not wish to convey, however, that we wished the indiscriminate issue of wine and beer licenses, as was the case under the old wine and beer act.

12531a. Did the union propose to discriminate against one branch of the liquor trade, because they believed a large amount of danger attended on that branch of the trade?—Because men might more easily go to excess in the case of distilled liquors than in the case of fermented liquors.

12532a. The union, then, recognized the fact that there were certain dangers attendant on that branch of the trade?—Undoubtedly.

12533a. And they desired legislation with the view of lessening those dangers?—Undoubtedly.

12534a. That is, they were in favour of the legislation that was in the line of their belief, in regard to that branch of the business?—And in what they considered would be in the line of the belief of the vast majority of the people.

12535a. I notice also that the union proposed not only "to reclaim persons addicted to the excessive use of intoxicants," but "to enlist licensed vendors of intoxicating liquors upon the side of temperance." Will you explain how that was to be done?—Why not?

12536a. I want to know how?—By not hounding them down as social pariahs, as outcasts of society; showing them the distinction which existed in this way, and enlisting them, as they were enlisted in the Washington movement, in which, in very many instances, well-known hotel-keepers not only gave their halls up to the use of the movement, but subscribed towards it. I do not think there are very many men in the trade who are desirous of having it disreputable or having drunken loafers around. Practically speaking, there are very few men in the trade who really wish to sell to the man who has had more liquor than is good for him.

12537a. But the union evidently thought there were some, and they desired?—They desired, as far as possible, either to get these men out of the trade, or to help them to change.

12538a. That is, to sell only to those who were not drunk?—Yes; in other words, to elevate the status of the trade.

12539a. I notice this among the objects of the union: "The union recognizes the duty or expediency, in many cases, of total abstinence." In what cases would that be, if alcohol be a food?—In the cases I have mentioned, if there is no such thing as moderation, then to leave it entirely alone. In such cases, men substitute sugar in large quantities for alcohol.

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12540a. You spoke of the Scott Act as having bred sneaks, and that kind of thing. Were the things that were so deplorable, done by persons who had the alcohol habit or by beginners?—By both.

12541a. You think the licensed sale would make impossible such incidents as the Milton incident?—No; it would not make it impossible, but it would take away that tendency. I know that, as a boy, I did not care half so much for the apple I could get at home, as one I could get over a neighbour's fence.

12542a. The forbidden fruit would be sweeter?—That is it.

12543a. Was one of the objects of this union to bring about the repeal of the Scott Act?—That was one of the objects.

12544a. And it did take an active part in the repeal movement?—It did, to a considerable extent.

12545a. You were in the County of Haldimand taking an active part against the Act?—I only spoke at Cayuga.

12546a. You did take part in the campaign for repeal?—Yes.

12547a. As a platform speaker you were out under the auspices of the Union?—Yes.

12548a. Was it voluntary service or a paid service?—Voluntary entirely.

12549a. There was no pay attached to it?—None whatever.

*By Mr. Gigault:*

12550a. Do you think under a general prohibitory law there would be a good deal of smuggling and illicit distilling?—Undoubtedly. It is so very easy to manufacture alcohol; it is one of the easiest of every-day operations. It is not so easy to manufacture a pure or good liquor; but to manufacture an alcoholic liquor of some kind that will induce drunkenness is very easy, and it is done every day—not here to the same extent that it is in the older countries where the tax on the liquor is made almost prohibitive.

12551a. A chemist told me that it was very easy for a farmer to make alcohol by the freezing process; he would take some grape juice and make wine, and then freeze it so that the alcohol would be separated from the rest of the liquid; and the same with cider?—Yes, he could do that. But it would not be necessary to resort to such a round-about and tedious process as to separate the alcohol from water by freezing; it would have to be repeated very often. A man may take an old tin kettle and a bit of rubber hose, almost anything in fact that will hold the liquid, and manufacture distilled spirits.

12552a. Do you make a distinction between alcohol made with potatoes and alcohol made from oats?—Not if it is purified; but a very large proportion of the spirits from the first and second distillations of potatoes is fusil oil or methyl alcohol.

12553a. Do you believe that alcohol made by illicit distillers is more injurious to health than alcohol made by legal distillers?—Yes, because it is generally drunk as soon as prepared. But if it is kept for some time, it is sometimes even better than that made by the legal distillers from silent spirit.

12554a. Is not the distilling process of illicit distillers more imperfect than that of legal distillers?—Yes.

12555a. They have no rectifying apparatus?—No.

12556a. Is not the rectification necessary in order to free the alcohol from certain impurities which are very injurious to health?—Undoubtedly it is; that is, if the spirit is to be drunk almost immediately. But if the spirit is to be kept in wood for a lengthy period, say a couple of years or three or five years, all these deleterious substances are broken up into very beneficial ethers.

12557a. Do you think illicit distillers will keep alcohol in stock for two or three years?—No.

12558a. Did you read the report of the last Commission appointed in France on the liquor traffic?—I read excerpts from it in the English scientific journals; that was, the commission of three or four years ago in reference to the spirit drinking in the north of France, and its possible causes. I just read the general results; I did not read them in detail.

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12559a. You said that in some of the counties under the Scott Act there were many violations of the law. Was the liquor used in the hands of less respectable persons than is the case under a license law?—Yes.

12560a. Do you think that is a desirable state of things?—Undoubtedly no.

12561a. Do you think alcohol is very necessary for the compounding and preservation of drugs?—Undoubtedly. If I may put the answer in the words of Professor Huxley, modern science is deeply indebted to the cheapness of alcohol and glass; modern science at the present day would be unknown except for alcohol and glass. In fact, Professor Huxley founds the whole superstructure of modern science upon the cheapness of those two things. You will find that statement in his recent work on "The Science of the Victorian Age."

12562a. You spoke of an analysis that had been made by you of cider that was sold as wine for sacramental purposes?—That was an analysis I made with Mr. Babington.

12563a. Where was it obtained?—I purchased it on Yonge Street in this city.

12564a. And the man who sold it was selling it as wine for sacramental purposes?—Yes, he said so at the time—advertised it as such.

12565a. Did you procure it for analysis?—Yes. That was eight or nine years ago.

12566a. And it proved to be cider?—Yes.

*By the Chairman:*

12567a. Where have you pursued your studies?—In London, at South Kensington, and at the School of Science in Toronto. I was in practical chemistry under Dr. Ellis.

JAMES THORBURN, M. D., on being duly sworn, deposed as follows:—

*By the Chairman:*

12568a. Are you in active practice in this city as medical practitioner?—Yes.

12569a. How long have you practised in Toronto?—About thirty-nine years.

12570a. Do you think there has been a decrease of intemperance in the city of Toronto during the last ten or fifteen years?—Yes; there has been a marked decrease.

12571a. To what do you attribute that?—To different forces. I think people are better than they were. They are better educated, and are more susceptible to moral suasion than they used to be; they think more.

12572a. Do you think the changes which have been made in the law have had any effect?—No. So far as I know, I think not.

12573a. There has been a considerable reduction in the number of licenses in the city; do you think that has had any effect in reducing the amount of intemperance?—Very likely it has.

12574a. From your observation do you conclude that the present law is fairly well enforced?—I think so; in Toronto, at all events.

12575a. Have you any knowledge of the men who keep the taverns and places where liquor is sold in the city?—Yes; I think I may say I have.

12576a. What is your impression in regard to them? Are they as a body a set of men who would desire to carry out the law fairly, and observe its terms?—I think so, as a general rule.

12577a. Do you think there is in the city much distress and poverty resulting from intemperance?—There is some; there is no doubt about that. As to the amount of it I could not say.

12578a. Do you think it is greater or less than it was?—I know it is less than it was. I know there has been a marked difference on the subject of temperance in the time I have been in practice here.

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12579a. Do you think the present system of issuing licenses works satisfactorily for the regulation of the traffic?—So far as I know. I may say that I have not made a study of the different enactments or laws, but I know that things are conducted in an orderly way here.

12580a. The number of licenses to the population are few comparatively?—I know that.

12581a. Do you think that is an advantage?—I do.

12582a. Would you prefer a prohibitive system to the present one?—Not at all.

12583a. Have you any objection to state your reasons for that conclusion?—In the first place, I think it is impracticable, and in the next place I do not think it is at all desirable.

12584a. And you come to the latter conclusion on what grounds?—May I ask a question before I answer? I would like to know what you mean by a prohibitory law?

12585a. A law prohibiting the manufacture, importation and sale of intoxicants of all kinds, except such as might be required for medicinal, mechanical and sacramental purposes?—That exception would be so great that there would be many impositions, and it would be a dead letter, or what I think is worse, a law that could not be enforced. I think it is a bad practice to have an enactment that cannot be enforced and will not be enforced. I have formed that opinion on general principles, and also from actual experience.

12586a. Does your objection to a prohibitory law rest principally on the ground that you think it would not be enforced?—That is one of the grounds. I think it is impracticable, it would not be enforced, nor is it desirable.

12587a. May I ask you to state on what grounds you come to the latter conclusion?—Because I think it would be a failure, and it would suppress the manufacture of a very important article which is essential in many respects.

12588a. Do you think alcohol is indispensable in connection with your own profession?—Quite so.

12589a. Have you come to the conclusion that there is no other article which could be substituted for it?—Quite positive.

*By Judge McDonald :*

12590a. Have you formed any opinion as to the value of alcohol as a food?—This is a point which is very much discussed. I believe it is the consensus of the medical profession, that is, the scientific medical profession, that it is important as an article of diet.

12591a. Do you put distilled liquors upon a different footing in that respect from fermented liquors?—No, I cannot say that there is a division made.

12592a. We find that some do make a distinction?—Oh, yes.

12593a. Speaking for yourself, you do not think there exists such a distinction?—I have never observed any particular distinction.

12594a. Have you formed an opinion at all upon the question whether the immense increase that has taken place in the last few years in the use of lager beer has been beneficial?—I have had perhaps special opportunity of knowing something about that. I am connected with a life insurance company, and one of the questions we put in reference to the habits and many other things is as to the condition of the kidneys; and I think—I am expressing my personal views—that there is an increase of kidney diseases, and I attribute that, whether rightly or wrongly, to the drinking of excessive quantities of lager beer.

12595a. In what way does it operate?—Many people, Germans in particular, drink immense quantities of lager beer; they are at it constantly. The result is that the kidneys are all the time in active operation, which causes irritation and sometimes inflammation.

12596a. Speaking from your reading as a medical man, can you tell us whether diseases of the kidneys exist to any great extent in Germany?—I am not prepared to say. I once had the pleasure of hearing a very eminent German scientist speak on this subject, and he attributed the diseases of the kidneys and liver to a great extent to the excessive use of the beer of the country.

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12597a. Would the use of lager beer in moderation produce the deleterious results you speak of?—I do not think it would.

12598a. You think, however, that in the habits of some people it has grown to excess?—Oh, yes.

12599a. What do you say in reference to the use of ordinary ale and porter?—I think, for instance, Bass's ale, the bitter ale, is a better beer than lager.

12600a. Can you speak as to the ale and porter made by our Canadian brewers?—Not so well. I do not know so much about that.

12601a. What about the use of Canadian wine?—I have never yet tasted a Canadian wine that is worth drinking.

12602a. Speaking apart from the question of taste?—I do not suppose it would be injurious.

12603a. What about the lighter wines of Europe—the clarets?—I think they are very good indeed, and if they were used more than stronger drinks, it would be a very good thing.

12604a. Have you considered at all the relation of insanity to the use of liquor?—I cannot say that I have. Of course, the abuse of anything may lead to insanity, but what proportion of the insanity is due to the use of alcohol I am not prepared to say. I may, however, give you a very good illustration that I have now in my mind. A gentleman was taken up here as insane. He had tried to throw himself in front of a train, and he was very wild and ungoverned in all his actions. He was committed and sent to the asylum. It was said that this man had been an excessive drinker. He came to my house a short time ago, and I was very glad to get rid of him. He had left his home in England, and had seen considerable service on the Nile and elsewhere, and had been mentioned honourably by different commanders. He is now in the asylum. I received a letter from his wife the other day, asking me to go and see him. It appears that this man, while on the Nile, had got a sunstroke, from the effects of which, every now and then he got crazy. He was in the habit occasionally of getting drunk, and to this his insanity was attributed. In many cases disease is the cause of drink, and not drink the cause of disease. We are very apt in some cases to be uncharitable. The abuse of alcohol is a very serious matter, but sometimes, indeed very often, it is the result of disease. Take a poor consumptive; he is weak and wretched, and he is glad to get a little stimulant; he takes it and feels better; and perhaps after a time it becomes a habit, and may aggravate his disease. That man should not be classed as a drunkard; he is a diseased man. There are a great number of cases of that kind; but alcohol is such a dangerous thing that medical men are sometimes compelled, almost contrary to their own convictions, to hold their tongues and say little or nothing about it. It is a splendid servant, but a bad master.

12605a. Do you find, as the result of your observation, that insanity has increased to any extent within the last few years?—No, I believe it has not.

12606a. Do you think it has decreased?—Yes.

12607a. Do you attribute that decrease to the increased state of temperance in the community?—And the better treatment of the insane, and the prevention of disease rather than the cure of it.

12608a. That has prevented the number of insane people multiplying?—Yes, I think so. Of course, in periods of excitement there is always an excess of insanity.

12609a. Some have told us that the number of insane people is increasing, and that the government is constantly adding to the accommodation for them?—I believe there are more applications, but it is not because the number of insane persons is increasing, but the people have been educated to know that an insane asylum is like a hospital, and that any one bereft of his reason would be more likely to recover his health in an institution where he would be under the surveillance of skilled men than if left at home.

12610a. Do you think many of these have been left at home?—Yes, and in the jails of the country, I am sorry to say.

12611a. Is that in the different jails of the province?—Yes—a shocking thing.

12612a. Do you think heredity has anything to do with intemperance?—I think it has.

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12613a. To a great extent?—I do not know that I would say to a great extent.

12614a. Have you had any experience of the working of a prohibitory law?—I have been in Scott Act counties.

12615a. Name some of them?—Halton.

12616a. What has been your experience?—It was rather comical. Some few years ago I was summoned to attend a court in one of the villages of Halton. I arrived there at about ten in the morning, with some gentlemen from Toronto. We had to walk two or three miles to the court-house. On the way we met several people who were intoxicated, among them some young men. I went to the court, stayed there all day until five or six in the evening. Coming home we met some more, and to my surprise, young gentlemen by their dress and appearance, in the same condition. I made the remark to some friends with me, "That is enough to make a man a Scottite." They said, "Where do you suppose you are? This is a Scott Act county, the famous Halton, and this is the second term of its existence." I saw more drunkenness there than I had seen in Toronto. I had no idea it was a Scott Act place.

12617a. Do you remember the section of Halton in which you were?—Milton.

12618a. And it was in and about Milton that you saw this state of things?—Between the railway depot and the court-house. It was the worst place I think I ever saw, and I had no idea it was a Scott Act county.

12619a. I may state to you that we have had evidence before us to the effect that in the County of Halton, while the Scott Act was in force, the assessed value of property increased, that a man who went on a wager from one end of the county to the other to get liquor was unable to get it until he succeeded in obtaining a doctor's certificate stating that he required it for medical purposes, that the only vacant house in the town of Milton was the county jail, and that everything was prosperous. Others have told us, among them the chief constable of Milton, that drunkenness increased while the Act was in force, that liquor could be easily obtained, and that many low places for the sale of liquor sprang up. From what you saw, which of these statements would you believe?—I believe the latter statement. The amount of drunkenness was shocking; and it was among young, respectable looking gentlemen.

12620a. In case of the enactment of a prohibitory law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—That is a very difficult question to answer. They have invested a lot of money in their business, and the law has legalized it, rightly or wrongly, and I do not think they should be deprived of all their investments without some compensation. I do not know how it is to be done.

*By Rev. Dr. McLeod :*

12621a. What is the lack in the Canadian wine?—It is not palatable, in the first place. I think it is flat.

12622a. Does it not take the place of ordinary wine?—No, I do not think so.

12623a. Has the use of alcoholic stimulants by your profession decreased within your recollection?—It is hard to answer that. I believe that medical men along with others are more temperate.

12624a. I mean in prescribing it?—That depends upon the medical man himself entirely. The more scientific they become, the more guarded they are. Formerly a great deal was done by hap-hazard experience; we now try to base our practice on science.

12625a. You think the prescription of alcohol has diminished, then?—The indiscriminate use of it has diminished to a certain extent.

12626a. You attribute that to the fact that the profession is better equipped—that medical men are more cautious?—Better educated.

12627a. Therefore they prescribe alcohol more cautiously?—They prescribe it more cautiously.

12628a. Do you think it necessary as a beverage?—We are told it is the milk of old age.

12629a. You believe that?—I do.

12630a. Do you think it better that in all cases it should be used when prescribed by a physician?—I think as a dietetic substance it is useful.

12631a. Do you think it is an economical food?—It assists digestion very much where the vital powers are low, as in old age, in debility, when convalescing from disease, and in many other cases.

12632a. As a physician you come into contact with many families, and have knowledge of their inner life. What from your observation have you to say of the effect of the drink habit on families?—If used to excess, it is highly injurious.

12633a. Are the injuries quite general, have you observed?—I could point to marked cases.

12634a. How long were you in Milton on the occasion you have referred to?—From ten o'clock in the morning till about six in the evening. I was in the court-house all the time except going to and coming from it.

12635a. Have you any recollection how many you saw drunk on that day?—I could not say. About half a dozen. What particularly struck me was the respectable appearance of the young men, and the fact of their being drunk in the morning.

12636. Were any of them in the court-house?—No, I think not. I did not notice any in the court-house.

12637a. You do not know whether they were people who were there to attend court or residents?—No, I do not. They were about the streets.

12638a. Did I understand you to say that you saw more drunkenness there than in Toronto?—I did. It was conspicuous.

12639a. Did you receive a circular from the Commission some time ago, containing sundry questions for you to answer?—Yes.

12640a. Did you answer them?—I am not sure.

12641a. Do you think the non-use of alcohol is compatible with the best health?—At certain ages of life.

12642a. At what ages?—I think in early life and up to manhood, unless the person is troubled with some disease that requires it, he is better without it.

12643a. Have you observed that individuals who get along to the age of twenty-five or thirty without it, rarely form the habit afterwards?—Yes.

12644a. Are they the better or worse for not using it later in life?—That depends on the abuse, not the use.

12645a. Suppose they do not use it at all, continuing the habit of early life, are they less healthy?—If they are in a healthy condition they do not require it; but if they are suffering from weak digestion or from weakness of the nervous system, or from fatigue or waste of the body generally, a little alcohol is beneficial.

12646a. In that case it would be as medicine?—No, it would take rank as a dietetic substance.

12647a. Have you observed in cases of severe illness whether the man who drinks or the man who does not drink has the better chance of recovery?—The man who has been a temperate man has by all means the best chance of recovery.

12648a. Have you noticed whether the drink habit in parents has an effect on the children?—I think I answered that before.

12649a. One of your objections to a prohibitory law is that you regard it as impracticable. I would like to ask you, if you can conceive the possibility of a prohibitory law being well enforced, do you believe any good would result from it?—I should like to see a prohibitory law. I think we could not do without alcohol.

12650a. Of course, there are the excepted cases—the use by your profession, mechanical uses and sacramental uses. If there were a prohibitory law touching the use for beverage purposes only, and it were thoroughly enforced, would any good come of that?—I think it is impossible to have it so. It would be evaded. It would be something like the transfer system we have on our street railway here: it educates people to deceive. They walk into the car and nod to the conductor—a great many of them are transfers.

12651a. You think it is well to have a limited number of licenses in Toronto—not indiscriminate licenses?—Yes.

12652a. What is the advantage of having a small number instead of a large number?—All mankind, whether barbarian or civilized, from the earliest times, have used stimulants, and they will have them.

JAMES THORBURN.

12653a. What is the advantage of having a small number of licenses instead of a large number?—When there is a large number, I think it is made too accessible. With the smaller number it is made a little difficult to obtain, and if a man really wants it badly, he will go a distance to get it. But if it is thrown at him at every corner, he will probably step in, at first perhaps out of social feeling, and he may continue until he gets too much.

12654a. You think, then, providing facilities for the sale, increases the sale and use?—Yes, I think so.

12655a. And you think it is well?—That it should be limited.

12656a. And that, I suppose, is based on the belief that too free use is not good?—Yes.

12657a. I have heard that some physicians somewhere have said that the difference between men and the other animals is that man likes a stimulant, and takes it, and that our present civilization is attributable to the fact that stimulants are so freely used?—I do not think so.

*By Judge McDonald:*

12658a. You say that a temperate man would have the best chance of recovery from a severe illness. What do you mean by a temperate person?—Will you allow me to answer that by quoting a celebrated temperance lecturer, Mr. Gough. He says some one comes to him and says, "I am a temperate man." "What do you mean by that?" "Oh, I do not take a glass of wine or spirits once a week." Another man comes and he says, "I am a temperate man." "What do you mean by that?" "I take a glass or two of beer at dinner, and a glass at night." Another says, "I am a temperate man, I take ten or twelve horns a day." It is very difficult to say what is a temperate man.

12659a. Which do you think is the temperate man? You said a temperate man would have a better chance of recovery?—One whose system is not injured by the abuse of alcohol.

12660a. Do you mean a total abstainer?—Oh, no. I think there are some who would be decidedly benefited by a glass of beer—sour, dyspeptic persons who are unsocial and crabbed.

*By Rev. Dr. McLeod:*

12661a. Have you noticed that some persons are made unsocial and crabbed by the use of beer?—By the abuse, not by the use.

12662a. Do you think, in case of accident, one of temperate habits has a better chance than a drinking man?—Oh, yes. I can give another illustration of what I have been saying from my life insurance experience. The question is always put, "Are you a temperate man?" The answer is, "Oh, yes." But the value of the answer depends on the doctor.

12663a. What is the rule of the insurance companies in regard to the drinking habits of their applicants?—For instance, a man who sells liquor, a bartender, or a manufacturer of liquor is only taken on short endowments.

12664a. Why?—Because their lives are not so good.

12665a. Why not?—Because they use drink to excess, and they have more temptation. They are drinking all the time.

12666a. Suppose the bar-room keeper is a total abstainer?—Even so, we say the temptation is too great.

12667a. Although he is a total abstainer, the company is a little careful about taking him?—Yes.

12668a. Is it because the character of the business is supposed to endanger his life?—Yes.

12669a. I suppose that the insurance companies taking that course do it on pure business principles rather than on moral considerations?—Yes, entirely.

*By Mr. Gigault :*

12670a. Do you believe, if we had prohibition, that there would be a good deal of illicit distilling?—I do think so.

12671a. And with illicit distillation would you have very bad liquors?—Very likely.

12672a. Would these liquors be very injurious to health?—Yes.

12673a. Do you know of any such thing as unfermented wine?—I cannot say that I do. I do not think it is wine until it is fermented.

12674a. Some persons say that unfermented wine should be used for sacramental purposes?—I do not understand what they mean by that. It is not wine until it is fermented; it is juice.

12675a. Are there many habitual drunkards in Toronto?—Not so many as formerly. Habits of drunkenness have fallen into disuse.

12676a. Is there one to a hundred?—No, I do not think there is.

12677a. Do you think there are 2,000 habitual drunkards in Toronto?—If there are they keep themselves secreted.

12678a. Is Toronto pretty orderly on Sunday?—Yes, very much so.

12679a. Do you think the restrictive clauses of the License Act help to maintain order on Sunday?—Yes.

*By the Chairman :*

12680a. What is the name of the insurance company with which you are connected?—The North America Life.

12681a. I suppose you find in your experience that one man can take a good deal more liquor than another, and not be hurt by it?—Yes.

12682a. Have you fixed a standard by which you draw the line between moderate and immoderate use?—There is a standard fixed by a very eminent man, Dr. Anstie—from an ounce to an ounce and a half a day; but we have not adopted that standard.

12683a. Do you, as a medical officer of the company, determine whether an applicant is temperate or intemperate?—Yes.

12684a. And you have not fixed any standard or rule for your own guidance as to the quantity which constitutes temperate use? Do you judge each applicant according to his condition?—By the answer to the question and the report of the local medical men. If we have doubt about it, we get further information.

REV. JOHN POTTS, D.D., on being duly sworn, deposed as follows :—

*By the Chairman :*

12685a. You are a Doctor of Divinity?—Yes.

12686a. Have you a charge at present?—Not at present. I am what is known as a connectional officer of the church.

12687a. Are you filling any public position at the present?—Yes, I am secretary of education for our church.

12688a. Are you connected with any of the colleges?—Yes, with Victoria University in that way.

12689a. Are you one of the professors there?—No.

12690a. You understand the object of our inquiry, and we should be very glad to hear a statement from you in reference to the points covered by the Commission or any of them?—I think I would prefer to have you ask me questions. I have been over thirty years in the pastorate, and have gathered some information on the subject.

12691a. How many years have you been in Toronto?—I have been stationed in Toronto since 1865, with the exception of six years in Montreal and three years in Hamilton.

JAMES THORBURN.

12692a. Were you pastor of the Metropolitan Church?—Yes, I was twice pastor of the Metropolitan—six years.

12693a. And in Montreal you were pastor of the St. James Street, Church?—Yes, twice.

12694a. The largest Methodist church in that city?—The largest in the Dominion.

12695a. And the Metropolitan is the largest here?—Yes, the largest in Ontario.

12696a. Have you come to any conclusion in regard to the increase or decrease of intemperance in the city?—I do not know that I can answer that question very clearly. I think, taking Canada as a whole, there is less drinking than formerly.

12697a. The prevailing opinion of the witnesses who have appeared before us seems to be that drunkenness has decreased in this city. Do you agree with that?—I think so, for the size of the population of the city. I think there are good reasons for it.

12698a. Do you attribute the improvement to any particular cause or causes?—An educational process has been going on through the pulpits and the platform and literature on the subject, and the press of this city is, I think, on the whole, favourable to temperance.

12699a. There has been a very considerable reduction in the number of licenses issued. Do you think that has had any effect?—Oh, yes.

12700a. You look upon that as a change in the interest of temperance?—Yes, very great.

12701a. Do you think the present method of administering the license law throughout Ontario is satisfactory? I am not speaking of the law as compared with any other law?—No, I do not think the law is as well administered as it should be.

12702a. Have you any objection to stating in what respect you think it is defective?—Well, it is defective in a variety of ways, I think. I do not think it is looked upon, even by officers of the Government, as other forms of crime, and I think in some instances they are willing to let some things slip in relation to that which they would not in relation to some other matters.

12703a. Do you think that is a result of lack of interest by the community in the enforcement of the law?—Well, I think the community as a whole would be more lenient in their interpretation of the duties of public officers on that point than upon some others.

12704a. Supposing the law is to continue, is there any change in the methods of carrying it out which you think would be of advantage?—I do not really know. There might be some, but I would go for a more radical cure.

12705a. By which you mean that you prefer a prohibitive measure?—Yes, total prohibition, with the exceptions that have been referred to. That, I believe, would be an unspeakable blessing to Toronto, to Ontario and the whole Dominion.

12706a. Would you prohibit the importation for private use?—Yes.

12707a. Absolute prohibition except for medicinal, mechanical and sacramental purposes?—Yes.

12708a. Do you know of any community in which such a law exists?—I have heard of places—the State of Maine and other places—of which I have heard very contradictory accounts. You have to do mean and sneaky things to get liquors in those places.

12709a. Of course, you probably know, because you have doubtless given a great deal of attention to the subject, that in the State of Maine the citizen has a right to import for his own use, and he does import for his own use; there is that marked distinction between the law you advocate and the law in the State of Maine?—My favouring a prohibition in that full sense grows out of my observations as a minister in the cities of this country—in London, in Hamilton, in Montreal and in Toronto. I believe that the liquor traffic is the prolific source of an overwhelming majority of the instances of poverty and trouble of various kinds. I am not unaware of the difficulties connected with the enacting and carrying out of a prohibitory law. I am speaking now chiefly on social and moral grounds.

12710a. The Commission are naturally anxious to get information in regard to the operation of the prohibitive system wherever it has been in force, and my question was to know whether you could name any place where such a law as you advocate was in force, in order that we might make inquiries?—No.

12711a. Then it would be a new departure?—Yes, it would be a very happy departure for this country, and set a good example to many other places.

12712a. The character of the prohibition would be a new departure?—Yes.

12713a. Have you examined at all the results of the prohibitive system in the State of Maine?—No. Many years ago I was in the State of Maine, and I heard more of it from the author of that law, General Dow, and of course I attached par value to General Dow's statements as those of a man of great information and experience on the subject.

12714a. General Dow has stated before this Commission that the law in the State of Maine, as is well known, does not prohibit the individual from importing for his own use, and further than that, that he is not in favour of a change in that respect. You differ from him on that point?—Yes, I think I would. I think it is an unmitigated evil.

12715a. You would not permit the individual to import or make for his own use? I think it would be a great deal better for him not to have it.

12716a. I am referring to the kind of prohibitive law you would like to see enacted. We are called upon to report upon the practicability of carrying out such a law, and of course the decision would naturally be influenced by the character of the prohibition which was sought for. You have not followed the criminal statistics of the State of Maine?—No.

*By Judge McDonald :*

12717a. I suppose you know that the prohibitory law has been in force in the State of Maine for about forty years?—Yes, I have some knowledge of it.

12718a. After forty years' experience of that law, the father of it, General Dow, tells us that he would not interfere with the importation for private use, and he does not believe public opinion in the State is sufficiently in favour of such a change as to make it advisable. I suppose you would be prepared to consider the experience of a man like General Dow as to the practical carrying out of the law?—Well, I do not think any law can be very well carried out unless it is backed up by intelligent public opinion.

12719a. Then to that extent you concur with him?—Yes.

12720a. And that there must be in favour of any law a sufficient amount of public opinion to make it a success?—Oh, certainly. I regard law as intelligent public opinion crystallized.

12721a. Do you think also that in order to keep officials up to the mark, it is necessary to have a sufficient amount of public sentiment in favour of the law?—I think it is.

12722a. You speak of public sentiment being crystallized into law. Do you think, in connection with such a law as this about which we are speaking, that there should be a large preponderance of public sentiment?—I do.

12723a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—If that were the only way we could have prohibition, I think the country should be willing, in view of the greater benefits that would come to the country, to bear even that.

12724a. I think you have already stated what your experience has been as a minister in regard to the results of intemperance?—Oh, yes, I think there can be only one opinion from ministers on that subject.

*By the Chairman :*

12725a. I may observe that the Commissioners, at the beginning of the inquiry, agreed that the evils of intemperance were so great and deplorable that there would be no controversy on that point. The question is really the best method of changing that state of things.

*By Rev. Dr. McLeod :*

12726a. The Commission authorizes us to inquire into the effects of the liquor traffic on all interests affected by it. You have spoken of its effects on the home life,  
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which a pastor has exceptional opportunities of learning. Have you observed the effects of the liquor traffic—I am not speaking of the excessive use of drink at all—upon the industrial interests and business generally?—Yes, but not to the same extent that I have along the social and moral lines, because they of course come in my pathway as a pastor.

12727a. I understood you to say that a large percentage of the domestic miseries and the other deplorable things that a pastor comes in contact with, are traceable to the drink traffic?—Yes, very largely.

12728a. Aside from what is called the excessive use, have you observed what the effects of the so-called moderate use of liquors has upon the homes, and upon the children of those homes?—Well, of course all the drunkards were moderate drinkers, and drunkenness is the outcome of moderate drinking. There are persons, according to constitution and temperament, who might pretty safely remain moderate drinkers all their lives; but the risk is so great that it is a terrible peril to run.

12729a. Have you observed the effect upon the children of such homes?—Well, I do not know that I have very specifically. Of course, I have seen the effects of drunkenness upon the children, in their impoverished condition.

12730a. Have you at any time lived in a Scott Act community?—No, I have lived chiefly in those cities that I have already named.

12731a. You have been, I suppose more or less in Scott Act communities in your travels?—I suppose I have. I have been pretty much over the country; but I do know that I ever noticed them.

12732a. You are not able then to compare a community under the partial prohibition of the Scott Act with one under a license system?—No; I would not feel at liberty to make any statement on that subject.

12733a. You have said that if prohibition could be had in no other way than by compensating brewers and distillers, you think the country might well do that?—I think so.

12734a. But speaking on the principle, do you believe they have a right to compensation?—No, I do not think they have, unless the country is prepared to compensate the families that have been ruined through their business.

12735a. You think it is a question with two sides?—Yes.

*By Mr. Gigault :*

12736a. Is Toronto very orderly on Sundays?—Very.

12737a. Do you think the license law has helped in maintaining order?—Very much. We have prohibition on Sundays in Toronto.

12738a. Do you think the Sundays have been as orderly in Scott Act counties as in Toronto?—I could not say. The Sunday is remarkably well kept all through Ontario; the best kept Sunday in the world is in the Province of Ontario, and I think in the city of Toronto.

12739a. But Toronto is under a license law?—Yes, but there is prohibition on Sunday—from Saturday night until Monday morning—and therefore we have the quiet.

12740a. Have you known moderate drinkers who have remained so all their lives?—Well, I could hardly say. I suppose I have, I think it is quite possible.

12741a. If after forty years experience, the Maine prohibitory law is a failure, do you think it would be wise for us to adopt a general prohibition?—I am not prepared to admit that it is a failure.

12742a. I do not say that it is a failure; I say if it is a failure?—No, I would not be affected by it at all, because I think this community is somewhat different. I think if intelligent public opinion will warrant the passing of a prohibitory law in the Province of Ontario and in the Dominion of Canada, that that same intelligent public opinion will see that it shall be enforced.

12743a. Don't you think the inhabitants of Maine are as intelligent as we are?—I do not know as much about the inhabitants of Maine as I do about the inhabitants of this country. I could not state that. They have a pretty good record.

12744a. If in every other State which has had a prohibitory law that law has been a failure, do you think it would be wise for us to adopt one?—Oh, I think so. I am



looking at this subject in a moral light—in a religious light. I think the liquor traffic is the greatest hindrance to the work of God ; and the work of the church ; and the salvation of souls in this world ; therefore you can understand where my testimony lies.

12745a. But of course you want a prohibitory law which will prohibit ; which will work ; you don't want a prohibitory law which will not prohibit ?—No.

12746a. Would you rather have a prohibitory law which would not prohibit than the license law ?—Oh, I could not imagine such a law in this country as the expression of intelligent public opinion without having it administered.

12747a. You said that the inhabitants of Ontario are very intelligent. They have adopted the Scott Act in a good many counties, and they repealed that law, thinking it did not work well ?—Oh, no ; thinking that it was not well managed by officials.

12748a. You said, I think, a few minutes ago that if the inhabitants of Ontario were intelligent enough to adopt such a law, they would be intelligent enough to have it enforced. Well, they have been intelligent enough to adopt the Scott Act in many counties, yet they have failed in enforcing it. Would not the same state of things exist with a general prohibitory law as with the Scott Act ?—No, because the machinery of the Government that will enact a prohibitory law for the whole country will be bound to administer it.

12749a. Was not the Government bound to have the Scott Act enforced ?—I do not think they felt to the full extent that they were. They certainly did not do it.

12750a. Is it not the duty of the Government to enforce the laws ?—Certainly. There should be no law put on the books that the Government will not enforce.

12751a. Why did they not enforce it ?—I do not know. They certainly did not.

12752a. Why would they feel more bound to enforce a general prohibitory law than they felt bound to enforce the Scott Act ?—Because this would be a law covering the whole country in every province.

12753a. What difference does it make ?—It is a law ; the Scott Act is a law, and the prohibitory law is a law ?—Both laws should be observed ; they certainly should ?

12754a. Why was it not ? You said the inhabitants of Ontario would be intelligent enough to have any law enforced ?—I do not know as I said any law. I think I said that the officers did not look on that law quite as they did on others ; but I think the community has learned a good many lessons by the failure of the Scott Act. The Scott Act was carried by larger majorities than most members go to Parliament with, and if that Act had been observed by the servants of the Government, I believe the good effects would have been such as to have led the whole country to see the advantage of it. But it was only a half loaf, remember.

12755a. What guarantee have we that a general prohibitory law would be better observed ?—Just because it would be a law covering the whole country.

12756a. Yes, but we want to know whether such a law can work or not. If it has not worked in other countries, I think we should avail ourselves of the experience acquired elsewhere ?—Men get what they go after to some extent. Those who are in favour of drinking and the liquor traffic get certain information from the State of Maine. I have heard from others that it has been an unspeakable blessing, and that the jails have been empty. I take General Dow as the very best exponent who can speak on that subject, and that is his testimony.

12757a. What would you say if in Bangor there were about one hundred places selling liquor openly ; would you consider that such a law would be a success ?—I do not know that that is a fact.

12758a. But should it be so, should we have the evidence of the Mayor of Bangor that that was the fact ; and should you know that these Commissioners went to a hotel there and saw a bar open and liquors sold freely ; would you consider that the Maine law had been a success ?—No, I would not, if that is a fact. But that would be no reason why the same thing should occur in this country.

12759a. What machinery would you invent in order to enforce a general prohibitory law ?—If I were a member of the Government I would feel under obligation to do something of that kind, but I am not, and it is not my business.

12760a. Do you not think the members of the Government were under an obligation to enforce the Scott Act just as much as they would be to enforce a general prohibitory law ?—Oh, I think they should have done very much more than they did.

Rev. JOHN PORTS.

12761a. Do you think they will do better for a general prohibitory law than they did for the Scott Act?—I think so. I think the advance of public opinion on the subject will compel any Government to do it.

12762a. Why did it not compel them to enforce the Scott Act?—There was a difference, even among temperance men, as to the Scott Act. Some men who were strongly in favour of prohibition did not vote for the Scott Act, did not care about the Scott Act, did not think it was worth the trouble.

12763a. But they voted for it at first?—All temperance men did not. But you will find in the vote of January where the Province of Ontario stands on the subject.

12764a. So you do not want to say by what machinery that law could be worked?—That is not my business.

12765a. So you think we should venture upon that law without knowing whether it could be carried out or not?—We should venture upon what is right; we should venture upon what is best in the highest interests of the community that is governed; and I think a prohibitory law would be an unspeakable blessing to this country.

*By Rev. Dr. McLeod :*

12766a. Your church takes very pronounced ground on this question, I believe?—Very advanced ground. No one can be a member of the Methodist Church who is connected with the liquor traffic in any form. We have legislation on that subject; I think perhaps the Methodist Church is the only church that has.

12767a. In some parts of the country some of the other communions have a like regulation?—I am very glad to hear it.

12768a. I did not ask you if you endorse the latest deliverance of your General Conference on this subject?—Oh, yes. They could not put it in too strong language for me.

*By Judge McDonald :*

12769a. We have been informed, too, that a member of the church must be a total abstainer?—That is in what we call our general rules—unless in cases of extreme necessity. The interpretation put upon that would be medical advice.

12770a. So that he must be a total abstainer for beverage purposes?—Yes. I would not mean by that to convey the idea that all connected with our church are total abstainers.

12771a. I mean communicants?—By members I mean communicants.

12772a. That is, though it is the general rule, it may not be completely exacted?—Yes.

12773a. I suppose as to those who may be called adherents, there is no rule?—No, they have no obligation to us. Pew-holders merely are not under the discipline of the church.

*By the Chairman :*

12774a. The Commissioners are very anxious to learn the causes which led to the repeal of the Scott Act by-laws. They were carried by large majorities in most instances; the act remained in force three years; in some few instances it was renewed for a second term of three years; but the by-laws generally were repealed at the end of three years, I think, throughout the whole province. Can you make any statement to the Commission as to the causes which led to that change in public action?—My understanding of it was that nearly everything in the way of enforcing the law had to be done by the pronounced prohibitionists: the temperance people had to be prosecutors, and in a sense constables, and all that. They had to act almost in the capacity of officers to look after and see to having it enforced.

12775a. You are speaking of the constables appointed by the municipal bodies?—No. Perhaps I should not mention constable in that connection. Prohibitionists had not only to be prosecutors, but had to look the thing up and pursue it, and all that. I think there was a sort of vague impression on the minds of the constables and some others, "Oh, this is a temperance thing, and let the temperance people work it;" and

I think people got annoyed and discouraged about it, and out of that the determination grew, "We will have something better than the Scott Act; we will bring our forces to bear upon prohibition rather than upon any half measure like the Scott Act."

12776a. Do you think the municipal bodies were really desirous of carrying out the Act?—I really could not say.

12777a. The constables are of course the officers of the municipal bodies in most respects and act under the direction of the councils, I suppose. It is difficult to understand, if the sentiment in favour of the Scott Act was general, why the municipal bodies should have been so apathetic about giving effect to the Act?—Yes, it was very unfortunate, but so it was.

12778a. Have you given any attention at all to the financial side of the question?—No.

12779a. Of course there is a large revenue derived by the Dominion from the liquor traffic?—I think I intimated that this question of prohibition had great difficulties—great practical difficulties; and my own impression is that the country must be prepared to face direct taxation for a term of years; but I think that would be economy on the part of the country.

*By Rev. Dr. McLeod:*

12780a. It has been intimated in some quarters that really there was a reign of terror and intimidation in some places to prevent the enforcement of the Scott Act. Do you know of any such cases?—Oh, yes. At least, I heard of trouble, at Orangeville, I think, and some other places.

12781a. And then there was a conflict of authority as to whose duty it was to enforce the law?—Yes. That was largely at the bottom of the failure of the Scott Act.

12782a. Do you know whether there were appeals from the convictions of magistrates, causing delays, and therefore discouragements?—My information is vague and general, and I would not care to make any definite statement.

12783a. Do you understand the repeal of the Scott Act as indicating the feelings of the people on the subject of the prohibition of the traffic?—No.

*By Judge McDonald:*

12784a. I suppose it is a fact that in these Scott Act counties, even in the repeal contests, the people in favour of the Act tried to keep it in force?—In some places; but they got discouraged because of the conflict of opinion as to who should administer the law. And then there was a good deal in the terrorism referred to by one member of the Commission.

12785a. Would you be surprised to learn that in 1886, or thereabouts, the whole question of jurisdiction was settled, so that there was no doubt who should administer the law, and that it was not until 1888 or 1889 that a large number of the repeals took place?—Well, the law was not properly administered, wherever the jurisdiction lay.

*By Rev. Dr. McLeod:*

12786a. You do not wish to go into the record as saying that all the prohibitionists sought to prevent the repeal of the Act?—Oh, I think quite a number became indifferent, and said, "We never cared about the Scott Act; entire prohibition was our creed, and that was what we proposed to work for."

12787a. They regarded the Scott Act as a sort of compromise?—Yes.

*By Judge McDonald:*

12788a. Have you not reason to believe, on the contrary, that some prohibitionists allowed the Scott Act to be repealed—did not trouble themselves about it?—Some of them did not even vote for the Scott Act. They did not care to commit themselves to the compromise idea of the Scott Act.

Rev. JOHN POTTS.

THOMAS N. SCRIPTURE, on being duly sworn, deposed as follows :—

*By the Chairman :*

12789a. Are you a resident of Toronto ?—Yes.

12790a. Are you in business here ?—At the present time I represent the Sun Life Insurance Company of Montreal as their agent here.

12791a. How long have you lived in Toronto ?—About five or six years.

12792a. Where were you before that ?—I lived in Brighton, Ontario.

12793a. Did you hold any official position there ?—I was Justice of the Peace for the United Counties of Northumberland and Durham.

*By Judge McDonald :*

12794a. Were you living there at the time the Scott Act was in force ?—Part of the time.

12795a. How did you find that Act to work ?—It was very hard to enforce it.

12796a. Were you officially connected with the enforcement as a magistrate ?—In a great number of cases.

12797a. What did you find the difficulties to be ?—There were a good many difficulties. One difficulty was very frequently to get an associate magistrate. Cases would be entered upon, the information laid, and the proceedings begun, and there seemed very often to be a great difficulty to get another magistrate. Then, I think, the public sentiment was not strong enough at that time to enforce an act of that kind.

12798a. Speaking from your experience as a magistrate, do you believe that public sentiment has something to do with the enforcement of law in a community ?—I think it has a good deal to do with it.

12799a. Did you notice whether there was any difficulty in getting evidence ?—A great deal of difficulty.

12800a. And when witnesses were brought, whether there was a difficulty in getting the facts from them ?—A very great difficulty.

12801a. Have you reason to believe that in the cases tried before you there existed perjury to any extent ?—I think there were some cases of it, at any rate.

12802a. Did you find that men's memories became exceedingly short ?—They seemed to shrink.

12803a. Were you yourself a supporter of the law ?—I voted for it and worked for it.

12804a. Were you there when it was repealed ?—No, I was in Toronto when it was repealed.

12805a. To what do you attribute the repeal of the act in that section ?—Non-enforcement of the law.

12806a. Before the act was repealed, had the Provincial Government appointed a Police Magistrate under the act ?—Yes, they had.

12807a. Do you know whether the administration of the law improved after that ?—That was after I came to Toronto ; but I understood that there was some improvement.

12808a. You had no personal experience of that ?—No.

12809a. Was it difficult to get witnesses into court ?—Yes, in some cases.

12810a. And difficult to get the facts out of them when they got there ?—In some cases.

12811a. Were the cases tried before you those of men who had previously been in the licensed traffic, or new people who had gone into the business ?—I think most of them had held licenses before.

12812a. In the cases tried before you, was the averment of the prosecution that the sale had been made secretly, openly in a bar, in a room, or how ?—On the premises ; I have forgotten just now.

12813a. Were you troubled at all in that section of the country with men carrying liquor about on their persons and selling it to people ?—Not to any great extent, so far as I know.

12814a. From your knowledge of things as they had been in Brighton under the license law, and as they were under the Scott Act, which would you prefer?—Well, I do not believe in licensing the sale of liquors at all.

12815a. You look upon the licensing of the traffic as of itself a wrong?—I do; a moral wrong.

12816a. Supposing, then, a prohibitory law were in force, would you rather have the liquor traffic under what might be called police regulation, that is, under the present prohibitory features of the license law without a license fee being exacted?—I do not think we should take any money from it.

12817a. You would not favour there being no law at all? You would put restrictions on the traffic if you could not prohibit it altogether?—Certainly.

12818a. But you would not derive a revenue for public purposes from the traffic?—I do not believe in that.

12819a. I need not ask you whether you would support a prohibitory law for the whole Dominion, preventing the importation, manufacture and sale of intoxicating liquors for beverage purposes?—I would support such a law.

12820a. In case of the enactment of such a law, would you except from its operations liquor required for medicinal, mechanical and sacramental purposes?—I think that is only reasonable.

12821a. Would you have the law go so far as to prevent farmers making cider out of apples or wine out of grapes for their own use?—I would not want to see any manufacture in the country. I think there might be a great deal of harm done by the home manufacture.

12822a. You would make the measure sufficiently sweeping to prevent that?—I would.

12823a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I think, as the previous witness, Dr. Potts, said, that it would pay them to get rid of it.

12824a. You look upon the traffic, then, as an evil?—I do.

12825a. Would you prohibit the importation of liquor for private consumption as a beverage?—Certainly I would.

12826a. Have you considered the revenue side of the question at all?—I have.

12827a. Will you state to us your view as to that?—I think we would have to have direct taxation for a time, and I would be willing to pay my share of it.

12828a. As a citizen of Toronto, have you observed how the license law is carried out here?—We have it very quiet here on Sundays.

12829a. It is quiet also on week days?—Yes, unless it is a half holiday or something of that kind. I think hotels should be closed on holidays.

12830a. Do you notice whether on holidays there is much intoxication?—A great deal of it.

12831a. On the street?—Oh, yes.

12832a. And you would favour an amendment to the license that would apply to half holidays the same enactment that applies to election days and Sundays?—Yes, and a lessening of the number of hotels in the city.

12833a. Do you think there are too many in Toronto at present?—Three times too many.

12834a. We are told that there are not as many as the law allows?—That may be; but where there is no accommodation for either man or beast, I would not allow a license.

*By Rev. Dr. McLeod:*

12835a. Have you any reason to believe that there is illicit sale in Toronto?—I could not tell you about that.

12836a. From your observation of the Scott Act in the county in which you lived notwithstanding the difficulties of enforcement, what is your impression as to the effect was it good or not?—I think the committals for drunkenness to the jails in the united counties decreased after the Act came into force, and if the returns were producible, I think they would testify to that for the two or three years that the Act was in force.

THOMAS N. SCRIPTURE.

12837a. And you would attribute that to the Scott Act?—I do not know what else to attribute it to.

12838a. Were you ever in the North-west?—Only passing through.

*By the Chairman :*

12839a. Do you think there is less drunkenness in Toronto than there was when you came here?—I think so.

12840a. Was there any progress in that respect in the counties in which you were a magistrate during your residence there?—That would be a pretty hard thing to tell. I lived in the village of Brighton, and they drank lots of whisky there when they had it.

12841a. You left whilst the Scott Act was in force?—Yes.

12842a. Were they drinking lots of whisky then, under the Scott Act?—They used to get considerable whisky.

12843a. What was your difficulty in finding another magistrate to sit with you in those cases? Was it the absence of magistrates in the district, or an indisposition on their part to serve?—Their indisposition—I think so.

12844a. How long did you live in that district?—Eighteen or twenty years.

12845a. How many years did you serve as magistrate?—Perhaps six or seven years, I am not quite sure.

12846a. Have you any idea how many liquor cases you had before you—I mean cases for selling contrary to the law?—You must bear in mind that I was there only a year and a half or two years after the law was carried. The Act came into force in May, and I left in November of the following year.

12847a. How many cases had you before you in that time?—I should think twenty, it may be more.

12848a. Did your jurisdiction extend over the counties of Northumberland and Durham?—Yes. Magistrates are appointed for the united counties.

12849a. Did the cases come before you for the whole of those united counties?—No, for East Northumberland.

12850a. And during the year and a half you think you had twenty cases for selling contrary to the law?—Yes.

12851a. In what area of the united counties was that?—It would be about half of Northumberland.

12852a. How much would that be of the total area of the united counties?—I suppose a quarter.

12853a. What proportion of the population of the two counties would be embraced in your area?—Perhaps not quite a quarter. They are supposed to be divided on a representative basis or nearly so.

12854a. You were a magistrate for some years before that. Had you many cases for infringements of the license law before that?—I do not know that I had more than one or two before that.

12855a. What was their character?—Selling without license.

12856a. Had you many cases of selling out of hours or selling on Sunday?—No, I think not. Those cases, I think, were taken by the Inspector to other courts of the county as a rule.

12857a. Had you cases of drunkenness before you?—Yes, I had all kinds of cases.

12858a. Had you many before the time of the Scott Act?—I did very little magisterial work before the Scott Act was carried.

12859a. Had you any cases of drunkenness before you prior to the coming in of the Scott Act?—I think all I had would be before that.

12860a. You had no cases of drunkenness before you after the adoption of the Scott Act?—I would not like to say that. It is a long time to remember.

12861a. But you say you had very few before?—Very few before or at any time of that class of cases.

12862a. Then you had very few cases of drunkenness before you at all during your term?—Yes, very few.

*By Rev. Dr. McLeod :*

12863a. You do not regard drunkenness as the only evil that results from the liquor traffic?—Not by any means.

12864a. Is the insurance company you represent careful to scan the lives of applicants, especially as to their drinking habits?—Very.

12865a. Just what is your rule?—Almost the very first questions asked are in reference to their habits—whether they have had anything to do with the manufacture or sale of liquor, or whether they are temperate themselves.

12866a. What does the company regard as temperate in an applicant? Is that to be determined by the agent or the medical examiner or how?—Practically all, I think, and the questions the applicant is asked.

12867a. They rely somewhat on his answers?—Yes, they must.

12868a. Do they go back of his answers?—They have an intimate friend's report.

12869a. Who is asked questions about the drinking habits of the applicant?—Yes.

12870a. You speak of persons engaged in the traffic; for instance, if a saloon-keeper makes application for life insurance, is he taken whether he is an intemperate man or not?—I do not know about that. In my experience I have not had any. I know they charge an extra rate for that class.

12871a. Even though he be a total abstainer?—I think they charge him ten dollars a thousand more.

12872a. If he is a total abstainer, what would be the extra risk?—In the temptations into which he is thrown.

12873a. The temptations for him to drink or the dangerous surroundings?—I suppose that would all be considered. I have not gone into the question thoroughly, but that is my impression.

12874a. The company has adopted the regulation after consideration?—It is purely a business matter, I think.

12875a. Not a moral consideration in any sense?—I do not think so at all.

WILLIAM J. THOMAS, on being duly sworn, deposed as follows :—

*By the Chairman :*

12876a. You are a resident of Toronto?—Yes.

12877a. How long have you lived here?—Since 1840.

12878a. What is your business or occupation?—I am occupied at present in the malting and brewing business.

12879a. Is yours a private establishment or a corporation?—It is a corporation—the Ontario Brewing and Malting Company.

12880a. How long has the business been established?—The malt-house has been in operation since 1882.

12881a. Was it a company at that time?—Yes. It was the Queen City Malting Company at that time.

12882a. Have you any figures as to the extent of the production of your brewery?—I can give it to you for eleven years. The barley malted in that time was 1,023,000 bushels.

12883a. Was that all Canadian product?—Yes, all Canadian barley. I have the items of the annual output.

12884a. Quote first the quantity of malt, for the first and the last year?—The first year 291,266 bushels and 24 pounds, and the last year 53,473 bushels of barley. We used to export a good deal of malt to the United States.

12885a. All that barley was made into malt?—Yes, all bought in the Toronto market.

12886a. When did the great decrease in the exportation take place?—In 1884.

THOMAS N. SCRIPTURE.

12887a. What was it in 1883?—We made 111,863 bushels and 41 pounds. The next year we made 76,951 bushels; and then it decreased to 47,000 bushels.

12888a. What led to the large decrease?—An extra duty was put on for export to the United States of Canadian malt.

12889a. What liquors do you make?—Ale and porter.

12890a. Do you make any lager beer?—No; the brewery was built after the malt-house, so there are not so many years to show. There would be eight years.

12891a. What was the product in the first year and the last year?—In the first year; that is, only for November and December, 1885, it was 56,159 imperial gallons, and for this year, that is, only a part of the year to the present time, it is 306,651 gallons. For 1892 it was 389,000 gallons; for 1886 it was 247,000 gallons.

12892a. What was your largest year?—1890, when it was 512,960 gallons.

12893a. Your production has fallen off since that?—Yes.

12894a. Is the product of your brewery sold principally in Ontario?—Yes, almost altogether. A little goes down to Montreal and some to Ottawa.

12895a. Is it largely sold in Toronto, or in the country districts?—Toronto and surroundings.

12896a. Is there any special reason that you are willing to give us for the reduction in the quantity you have been producing?—We have had a depression lately, and of course beer is a luxury, and the consumption has been smaller.

12897a. Was the amount of your sales at all influenced by the adoption of the Scott Act in so many counties of Ontario?—No; our trade was increased during those years.

12898a. Have you any objection to tell us the value of your plant, machinery and property?—About \$275,000.

12899a. In the event of the enactment of a prohibitive measure, would your brewery be largely depreciated in value?—Oh, yes, very largely.

12900a. Have you made any estimate of the extent of the depreciation?—Of course, there would be the real estate and the four walls; but the style of construction would make it unsuitable for anything else. A malt-house, for instance, has very small windows and very low ceilings.

12901a. Are you exporting any malt at present, or are you making any more than you use in your own establishment?—We sell a little to the local trade, but there is no export at present.

12902a. What do you mean by the local trade?—To other brewers who have not malt-houses, or have not made enough malt to tide them over the season.

12903a. Have you formed any estimate of the extent to which the property would be depreciated in case the business had to be discontinued?—It would not be worth over one-half.

12904a. Would you lose anything more than the depreciation on your plant and property?—Of course, in the event of prohibition we would lose very heavily by credit that is given to the customers.

12905a. Do you mean to say you would have a number of creditors on your books who would be unable to pay?—Yes; we have to carry a large amount on our books all the time, and of course in the event of prohibition they would not be able to pay us, no matter how much inclined; they would not have the money.

12906a. Have you made any estimate of what you think your loss would be on that account in case of prohibition?—I think about 75 per cent of the book debts.

12907a. You need not answer this question if you do not care to: What amount would that be?—I make a rough estimate of \$50,000 of loss.

*By Judge McDonald :*

12908a. Have you had any experience of the working of a prohibitory law anywhere?—No.

12909a. You remember when the Scott Act was in force?—Yes.

12910a. You say your output increased during that time or a part of that time: Did the business assume any different shape?—Oh, yes.

12911a. In what way?—A lower way; sneaking it into the counties at night.

21-50½\*\*\*



12912a. How were the packages made up?—In barrels and boxes and in any good passable condition to put it through.

12913a. Did it increase the bottle trade?—Very much.

12914a. Did it lead to any greater supply to private families than had previously existed?—I think it did. In fact, I am certain it did. They would get it in larger bulk: where they could have done with a dozen or so they would get five or ten dozen. A barrelful would be generally four and a half dozen, and we would not ship less than that.

12915a. Were the goods mostly ordered by letter or verbally?—They used to come down and buy it and generally pay for it, or write for it.

12916a. Of course, you were not affected, I suppose, by the law as to collections, living in the city, where the Scott Act was not in force, you had a right to make sales?—We sold to them in the city. There were some instances where we lost; but I do not think our losses in proportion to our sales were any greater than they were under the license law.

12917a. Speaking as a citizen of Toronto, have you observed how the provisions of the license law are carried out?—I think it is the best license law I ever knew of.

12918a. Have you reason to believe that there is illicit sale carried on to any extent in Toronto?—Certainly, there are always places that do a little of that on Sundays and Saturday nights when the licensed places are closed up.

12919a. Where do such dealers obtain their supplies?—That would be pretty hard for me to answer, because we sell to stores in large quantities, and then they sell to anybody in retail quantities.

12920a. So they do not procure anything from establishments like yours?—No. We only supply the licensed houses.

12921a. Do you believe that those illicit dealers only buy in small quantities?—I think so, enough to do them for the time.

12922a. I suppose that the people who have shop licenses and sell to them have no knowledge of the use to which they put the liquor?—Oh, no. They should perhaps order a gallon of whisky and a couple of dozen of ale from one shop, and another lot from another shop, and in that way get quite a little stock and variety.

12923a. So that you have no reason to know that any portion of the licensed trade goes to help those people?—I am quite certain they do not. Our licensed people in Toronto are over an average lot of men engaged in the trade.

*By Rev. Dr. McLeod:*

12924a. How do you account for the increase of your business during the Scott Act period?—You see, ours was a new concern. It was started in 1885, and it was hardly built before the Scott Act came into force; and of course our trade grew every year. It was a steady growth for six or seven years.

12925a. Are we to understand that you do not attribute the growth to the Scott Act?—Not altogether, because under a license system we would have got trade in those counties too. I could not judge whether it would be more or less; but our business increased and we did supply Scott Act counties.

12926a. But you are not intending to say that you did more business in those Scott Act counties during the Scott Act period than you did previous to that, because you were not in business previous to that?—Exactly so.

12927a. You favoured the repeal of the Scott Act, I suppose?—Certainly.

12928a. Do the brewers of Toronto control any of the licensed places, do you know? Not in that light. They have their friends, and have assisted numbers of their friends, but as for control, so that a man could not go and buy anything from this one or that one, I do not think that.

12929a. I mean in this sense, that there are places licensed in the name of John Smith, James Jones, or William Brown, the real owners of which are brewers or distillers. Does that state of things exist here?—No, I think not. The license is in the proprietor's name, and that is the case in Toronto, for very few have as much stock as their license is worth.

WILLIAM J. THOMAS.

12930a. We found that a brewing company had a chattel mortgage on a whole lot of them and was really the owner of the premises?—There are quite a lot of chattel mortgages in Toronto. It is really no more than having a mortgage on a farm. That would not compel the man to deal with any particular brewery.

12931a. Can you tell us whether any brewing or distilling company in Toronto practically owns any number of the saloons here, whether by mortgage or otherwise?—I know that there are some brewers who own the buildings and real estate, and rent them to the hotel men, and there are others again who have chattel mortgages; but this is all I know about it.

12932a. Do you know that they have the power at any time, if the business does not go on to satisfy them, to say to John Smith, "You can get out," and to put some one else in his place?—They could not do that, because the man has the license, and he would remove the license to another place, if he was a good character, as most of them are in Toronto.

12933a. So there is an understanding between some of the men and the brewing companies that although the man holds the license, the brewing company has the authority?—I do not know anything of that.

12934a. What are the features of this license law that you approve of?—The License Commissioners seem to be raising the character of the individual who holds the license; and where a man is liable to let his place run down, either by having excessive drinkers there or by keeping what they do not consider is a first-class house, they put him out and put in a man that is a fit and proper person to run it: and I think we have in Toronto the highest class of men in the business that you will find in any city.

12935a. Do you know whether many licenses are revoked or not?—No, there are not many revoked that I am aware of—not since they cut down the number; but there have been instances where men were told that they had to sell out and let somebody else that would be acceptable to the Board have the license.

12936a. You think that they have matters now so that they do not have to do that?—Yes. I think any person could send a family to any hotel we have in Toronto, safely, and they would be properly protected.

12937a. Do you think that all these places that hold hotel licenses are really hotels?—They are a very good average. Of course you know there are high-class hotels for high-class people, and we have some hotels again that are apparently not so cleanly and nice, because we have another class of people that do not want and cannot afford to keep up marble floors and finery—where they can get a reasonably good meal at a low price, for instance, twenty-five cents.

12938a. Do you suppose that any of these places licensed as hotels are merely places for the sale of liquor?—We have places here that are under saloon licenses.

12939a. But I mean the hotels?—I am not myself aware of any places that would come under the character you speak of at all. Our Commissioners have been very particular, and I think they have done their work well.

12940a. Do you approve of the reduction in the number of licenses?—I think there are few enough now in the city. I think if they were made any thinner, so that there would be long gaps of half a mile or so between places, there would be an inducement to start a dive.

12941a. There are some dives now, I suppose?—There are in every city, but they weed them out as fast as they find them, when they move to other places. But if you have too few places, men are not going to go half a mile to get a drink of beer or whisky if they think they can get it by going a quarter of a mile, particularly if they are very dry.

12942a. Do you approve of the early closing features of the law—eleven o'clock on ordinary nights, and seven o'clock on Saturday night?—It seems to meet the approval of the citizens here. People who are not prejudiced either one way or the other seem to be well satisfied, and generally remark that Toronto is better than any other city of the size that they have been in.

12943a. Within your recollection there was a much larger number of saloons, was there?—Yes.

12944a. And more drinking?—I think perhaps there was.

12945a. Would you discriminate between the sale of the stronger alcoholic drinks and the sale of beer?—No, I think as long as liquor is permitted to be sold, there should be no discrimination. The individual that is getting it, I should think, ought to be able to judge for himself.

12946a. Some gentlemen think there ought to be additional restrictions put about the sale of whisky, and that the sale of malt liquors ought to be made freer?—Probably there might be less drunkenness, and there might not be. There is no doubt you can carry in your pocket a good drunk with whisky for one day, but you could not do it with beer, or else you would have to have a smaller capacity than I have.

12947a. Have you noticed the effects of the liquor business on the social conditions of the community?—Where it is used in moderation I think there is no objection to it.

12948a. Where it is used to excess?—Then there is no one more down on it than I am. But where it is used in moderation it is different. I keep a little in my own house, and I use a little, and I would not be without it.

12949a. Do you come in contact much with the evils which result from what you regard as the excessive use?—No. I often wonder that there is so little. Of course, there are some men who will abuse it whenever they can get it, just as some men will steal whenever they can get a chance; I think they are about on a par. I think our law is able to take hold of and handle any surplus people we have of that kind, they are so few. In the police court you will probably find that one man has been up for being drunk fifteen or twenty times during the year.

12950a. What would be your remedy for the prevention of the excessive use and the evils that result from it?—I think our law at present cannot be improved upon. I have looked at it from every point of view, and I think the law is good.

*By Judge McDonald :*

12951a. Under the system that prevails at present of sending men to jail for short terms of twenty or thirty days for drunkenness, and where the offence and the punishment are repeated several times in the year, do you think any reformatory influence is exercised on these men?—No. I am not a believer in sending a man to jail because he made a misstep once or twice, who perhaps had been out with some friends and taken liquor on an empty stomach and got too much. I think it would be better to let him go unless he was going to continue.

12952a. Then, if it continues, would it be better to keep up the short term of imprisonment or send him to some institution where he would be put to work and be treated?—My opinion is that if he was put to work so that he could earn enough while confined to give him a fresh start after he came out, instead of being sent out without a cent in his pocket—if he could earn five or ten dollars above his keep—he would be able to leave the city and go to a new place if he wanted to, to make a fresh start.

*By Mr. Gigault :*

12953a. How many men do you employ in your brewery?—We employ twenty-three men in the malt-house during the malting season, that is, the winter season. The wages paid during that season average \$6,734. We employ thirty-six men in the brewery, and the wages paid for the year average \$19,763.

12954a. What price are you paying now for barley?—We have not yet started to buy for the year, but the average price we have paid during the time we have been in the business would be about sixty cents. In the last year, 1892, it was forty-five cents.

*By Rev. Dr. McLeod :*

12955a. What makes that great decrease in the price of barley?—I would judge that it is largely because we cannot export our barley as we could before.

12956a. There is an over-production, is there?—I would not even say that. The duty is so heavy. The Government gets what amounts to seventy-two cents a bushel, and consequently we have to take some of it off the farmers.

12957a. Have you brewers formed a combination and dictated the price?—No. Each one competes for his own interest.

12958a. There is now no export or a very small export of barley?—Very small.

WILLIAM J. THOMAS.

*By the Chairman :*

12959a. The increase of the tariff in the United States, I suppose, prevented the export from Canada to a very large extent?—Yes.

*By Mr. Gigault :*

12960a. If we had prohibition, do you think it would have the effect of decreasing the price of barley?—Certainly, because there is a local consumption that would be done away with. Under prohibition, people would have to fall back on whisky, because the packages being smaller could be concealed.

12961a. What price did you pay for hops?—This year they were running at about from sixteen to eighteen cents—Canadian hops.

12962a. Do you buy a good deal in Canada?—Yes. Since we have been in business we have bought 277,080 pounds of Canadian hops.

*By the Chairman :*

12963a. Did you buy any foreign hops?—Oh, yes.

*By the Rev. Dr. McLeod :*

12964a. More or less than Canadian hops?—I should think about equal; I have not got a statement of the exact amount. We generally use the Canadian when it is possible.

*By Mr. Gigault :*

12965a. If we had prohibition do you think it would decrease the price of hops?—

There would be no use of them at all. Our hops are of an inferior character to the foreign hops.

12966a. Do you think your establishment would lose three-fourths of its value, with the plant and book accounts, if we had prohibition?—Yes, I think that would be a low calculation.

*By the Chairman :*

12967a. Do you think the farmer would continue growing barley in Canada if there were no demand for it for malting purposes?—I understand from the farmers that there is a great deal of land that is fit for no other purpose than raising barley. I understand that it is generally the rent-paying crop.

12968a. Is there any other purpose which occurs to you that they could turn it to, such as feeding it to cattle or hogs?—It is not good feed for that purpose. There are other things like peas which I believe are better for stock purposes. I am not a farmer myself.

12969a. Would the land that is producing barley grow peas or other grains which are advantageous for the feeding of stock?—My understanding is that the land they grow barley on would not be profitable for other crops, although there is no doubt that there is plenty of land that grows barley that would grow other crops.

12970a. Do you think the growing of hops would cease?—I think so. You might say it is prohibition of hops too. The cooperage trade is another large item. In eight years we bought \$21,376 worth of barrels and \$3,000 worth of bottling cases.

12971a. Would the discontinuance of the making of malt liquors in Canada inflict a heavy loss upon the farmers?—It certainly would in this section of the country, because there is a great deal of barley grown here. They would be strictly dependent on the United States for the disposal of their grain, and hops too. And the Canadian hops, being of an inferior character, there would not be much money in exporting them.

GEORGE DOIDGE, on being duly sworn, deposed as follows—:

*By the Chairman :*

12972a. Are you a resident of Toronto?—Yes.

12973a. How long have you been here?—About two years and a half.

12974a. Where did you reside before that?—In the south riding of the County of Ontario.

12975a. In what place?—The last four years in the township of Pickering; previous to that I resided in the township of East Whitby.

12976a. What was your occupation in those places?—I was a farmer.

12977a. What is your occupation here?—I have retired from business for the present.

*By Judge McDonald :*

12978a. Have you had any experience of the working of a prohibitory law?—A little.

12979a. In what county?—The County of Ontario.

12980a. In any other county?—No.

12981a. When did the law come into force in the County of Ontario?—In 1884, I think.

12982a. How long did it remain in force?—I am not certain of that.

12983a. Perhaps you would make a statement of the working of the law as you found it there?—From the very first it was unsatisfactory. There was an apparent clashing as to the authority that should administer the law. That was the chief impediment to the administration of the law. That was the principal cause of its repeal.

12984a. How long did that continue?—That idea got abroad and it killed the law. The point as to jurisdiction was settled, I think, in 1886.

12985a. And then, I suppose, you had a Police Magistrate appointed?—Yes.

12986a. Do you remember who was appointed?—I do not remember his name just now—a gentleman from the north riding.

12987a. Was he acceptable to the people who were favourable to the law?—I would not like to cast a reflection. It was rumoured that the appointment was made for political purposes.

12988a. Were you present at any of his courts?—No. I attended more particularly the courts of the Police Magistrate of Whitby and Oshawa.

12989a. Were there many cases tried there?—Quite a few.

12990a. With what result? many convictions?—I think so, almost invariably.

12991a. Did you notice in attending these courts whether there was much difficulty in getting evidence from witnesses?—I do not think there was any more difficulty in obtaining evidence in these cases than in cases under the license law.

12992a. I am not asking that : I ask whether there was much difficulty in obtaining evidence?—Not more than in ordinary cases.

12993a. Did you notice whether there existed more perjury than in other cases?—The parties engaged in obtaining liquor under proscription were parties of a questionable character, as a rule, and we would of course find a little more difficulty in obtaining evidence from them, and a little more tendency to perjury.

12994a. Then, will you say in answer to my previous question whether there was difficulty in getting evidence in those cases?—Yes, taking that into consideration.

12995a. Have you had experience of the working of the license law?—Very considerable.

12996a. As an official?—Yes, as a Justice of the Peace, I was appointed in the first place to look after some illicit sales which were supposed to be carried on in certain localities under the license law some twenty years ago.

12997a. Did you in such cases find a difficulty in securing convictions?—Yes.

12998a. And why?—They were very unwilling to give evidence.

12999a. Did their memories become short?—Yes, very short indeed.

GEORGE DOIDGE.

13000a. Did you find a difficulty in showing at what hours they drank ?—Yes, and who served them, how they were served, and all those things.

13001a. Have you tried other cases as a magistrate ?—Yes.

13002a. For instance, cases of men seeking to recover wages ?—A great many.

13003a. Assault and battery ?—Yes.

13004a. Taking the ordinary run of cases, did you find more perjury and shortness of memory in liquor cases than you did in other cases ?—I think I would.

13005a. You think that in cases both under the license law and under the Scott Act you found more perjury or shortness of memory than in other cases ?—Yes.

13006a. Did you notice whether the persons who were prosecuted for selling under the Scott Act were persons who had previously been licensed or new persons ?—Previously licensed.

13007a. Were there any of the other class ?—I do not remember.

13008a. Do you recollect whether in the cases tried at which you were present, the evidence went to show open sale or sale privately ?—Privately.

13009a. Did you yourself see open sale in Whitby or Oshawa ?—I do not think it would have been possible to obtain it there in my presence.

13010a. Were you a promoter of the Scott Act ?—Yes.

13011a. And well known as a supporter of prohibition ?—Yes, well known.

13012a. And you would hardly expect to find open sale in your presence ?—I do not think so.

13013a. If you had seen it, you would have taken steps to have it prosecuted as a magistrate ?—Yes, I think it would have been my duty.

13014a. Do you attribute any portion of the non-success of the Scott Act, so far as it was not successful, to the fact that all were not of your mind in that respect ?—No, I do not. I think it was the exceedingly narrow bounds that we were confined to.

13015a. You do not think any portion of its non-success is attributable to the fact that people did not take an interest in its enforcement ?—I would not like to give as strong an answer to that as you would possibly wish ; but the idea seemed to prevail almost universally among those who had brought about the enactment of the Scott Act that they had fulfilled their duty, and that it remained to others to see to its enforcement.

13016a. You did not think that ?—No.

13017a. I suppose if all had been of your mind, the Act would have been better enforced ?—Undoubtedly. There is no more trouble in enforcing the law than any other.

13018a. Speaking as a magistrate and an observer, do you think the state of public sentiment has something to do with the successful carrying out of the law ?—Undoubtedly, any law.

13019a. Were you there when the vote on the repeal was taken ?—Yes.

13020a. Did you support the law ?—Oh, yes. I would support any law of that kind.

13021a. Taking it as it was, with the difficulties that you have spoken of, was it preferable to the license law in the same community ?—Yes ; there is no question of that.

13022a. Are you opposed to license law on principle ?—Yes.

13023a. Do you consider it wrong to license the traffic ?—Yes, a moral wrong.

13024a. Do you think it wrong to obtain a revenue from it ?—I think so, most undoubtedly.

13025a. I suppose you would rather have the traffic under regulation if it is to exist than to have it untrammelled ?—Oh, yes.

13026a. Would you prefer to have the traffic under all the regulations of the License Act, but without any license fee or any income from it ?—Oh, yes, without any income. I believe in the plan that prevails in some of the countries of Europe, by which the Government has full control of it—the Norwegian or Swedish system.

13027a. You yourself, then, would favour the enactment of a law for the whole Dominion prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes ?—I would undoubtedly.



13028a. Would you except from the operation of the law liquor needed for medicinal, mechanical or sacramental purposes?—Oh, yes.

13029a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—Up to the present time or within a few months I have held very decided views on that subject, but lately they have become somewhat modified. I used to think that everybody saw things from the same standpoint that I view it from; that was, that it was merely by sufferance that they carried on their business; but the idea is almost universal that they have carried it on with the understanding that it would be indefinite. With that idea in view, if we could not get prohibition on any other terms, I would submit to the idea of remuneration, but on no other grounds.

13030a. Have you considered the revenue question to any extent?—I have not.

13031a. With your view of the traffic and its effects, would you, in order to procure a prohibitory law, be willing, if need be, to submit to direct taxation?—I would, but I do not consider that there would be any necessity of that. I take the ideas of Neal Dow or Mr. Gladstone on that point; I think the cost of the prosecutions far outweigh the revenue we derive from the traffic. In the meantime I would submit to direct taxation.

13032a. The question is how you are going to get the money that is now derived from the traffic?—I have not formed a definite opinion on that point.

13033a. I think you said you were a farmer?—I was farming and I was the Municipal Clerk of East Whitby at the same time.

13034a. Was there any great amount of poverty in that township?—Yes, very considerable.

13035a. Had you a poor house there?—No.

13036a. I suppose there is no wine made there?—No.

13037a. Would the prohibitory measure for which you ask be one that would prevent the farmer making cider?—Oh, yes. That was tried several years ago. I had several cases of that kind myself.

13038a. Were such a law in force in East Whitby, would you prevent a man making cider for his own use?—Oh, no.

13039a. Why not?—It would be trenching on private rights.

13040a. But you would prevent him selling it?—Yes.

13041a. Did you notice when the Scott Act was in force whether there prevailed to any extent the bringing in of liquor for home consumption?—I think so. The great trouble was in people bringing it in from the city here. Traders would bring it in along the frontier portions of the riding.

13042a. Where would the people who were selling in Whitby or Oshawa obtain their supplies?—I do not know.

13043a. Have you observed the working of the license law in Toronto?—I have.

13044a. How do you find it carried out?—I think, taking it as a whole, it could scarcely be improved on. It is as faithfully carried out, I think, as any license law possibly could be.

13045a. Taking the rural district where you were and the city of Toronto, in which do you find the license law the better enforced?—I would say the rural part that I came from, because I think it was adhered to as rigidly as possible, especially after I was appointed. I was appointed to look after breaches of the liquor law.

13046a. Have you noticed as a citizen how the license law is observed in Toronto as to Saturday night and Sunday?—There may be dives where people can get drink, because on Sabbath evenings, when I am around some of the missions, I find certain parties under the influence of liquor; but I think the law is very fairly carried out.

13047a. Do you think they obtain liquor at illicit places?—Yes, and I think they get it on Saturday evenings. But what they term the respectable houses, I think, observe the law.

*By Rev. Dr. McLeod:*

13048a. Speaking of perjury in liquor cases, did you notice whether there was more of it in Scott Act cases than in cases for violation of the license law?—I could not discern any difference.

GEORGE DOIDGE.

13049a. The witnesses, I suppose, were persons who had purchased liquor from illicit sellers?—Oh, yes, invariably.

13050a. And they stood in with each other?—Oh, yes.

13051a. Notwithstanding the difficulties in the way of the enforcement of the Scott Act, do you think that in the section with which you are acquainted the Scott Act did good?—Oh, yes, immensely; there is no question about that. They have had a battle again in the township of Pickering on the question of local option. They will never go back to license again.

13052a. Were you ever in the North-west?—No, only at the time of the rebellion seven years ago. I went up as a private citizen and joined the force there.

13053a. Did you observe the workings of the Territorial prohibition up there?—Yes.

13054a. How did it operate?—The same as anywhere else; those who wanted liquor had to get it by stealth.

13055a. Was much of it got in that way?—I do not think so.

13056a. Where were you in the North-west?—At Regina.

13057a. A lot of troops were stationed there?—Yes.

13058a. Was there much drunkenness among the soldiers?—Very little.

13059a. Do you attribute that to the fact that there was no licensed sale?—Yes, undoubtedly.

13060a. Do you know if much was brought in surreptitiously?—Not to my knowledge. They used to make a great deal of what was brought in.

*By Mr. Gigault :*

13061a. Would you allow a farmer to make wine out of grapes?—Not for sale. I would not interfere with a man's private rights. I do not think it would be possible to carry it out.

13062a. Did you say you would not favour an income from the liquor traffic?—Yes, I think it is a moral wrong.

13063a. Do you think the license law is a moral wrong?—Undoubtedly.

13064a. Are you against an income being derived from liquor by import duties?—I am.

13065a. Would you rather have it imported free?—I would rather have it not imported at all.

13066a. If there was no duty, it would be imported free?—I am not responsible for that state of things.

13067a. Are you in favour of an income at all from the liquor traffic?—I am in favour this much, that the high duties paid on importation suppress importation to a certain extent, and I would accept the situation under the circumstances.

13068a. For the same reason would you not be in favour of a fee for a license?—They are not analogous, I think.

13069a. If the Scott Act was doing a good deal of good in the county where you were living, why was it repealed?—The depressing influences that arose in the first place from the conflict of jurisdiction.

13070a. You said it was doing a great deal of good. Why did not the temperance people support it?—They supposed that the Government would put proper machinery in operation for the carrying out of the law, and they did not do that.

13071a. You said that it was doing more good than the license law. If so, why did not the temperance men support it?—I could not tell you, I am sure. I told you that the temperance people as a body thought that when they had got the law enacted their duty ceased, and they would look to the Government for the enforcement of the law, and the Government certainly failed; we temperance people thought so.

13072a. Did the temperance societies cease their work after the Scott Act was in force?—To a very great extent. Then, the temperance societies accepted that as only a step towards what they were after. They were after prohibition.

13073a. They voted for it in the first instance?—They voted for it because they could not get anything else.

*By the Chairman :*

13074a. As a magistrate, had you more cases before you prior to the coming into force of the Scott Act than you had after it came into force?—I do not think so, but local circumstances came in, in the first place. I think I mentioned that I was appointed more especially to deal with some questionable places of resort in the first place.

13075a. Were you appointed by the Provincial Government?—Yes; and for some years the temperance people through me were fighting those illicit places of sale. Until they were rooted out, we had quite a large number of cases coming before me, and after they were rooted out the number of cases before me very perceptibly diminished.

13076a. Do you think there were more cases before the magistrates of the county prior to the coming of the Scott Act than afterwards?—Oh, I think so.

13077a. You think the cases coming before the magistrates for offences against the laws—I mean all laws—were fewer during the time the Scott was in force?—I am satisfied that for three years the county jail had not a commitment for drunkenness or disorderly conduct.

13078a. What Government did the people expect to enforce the Scott Act?—There was a conflict of opinion at that time, and politics crept into that as it unfortunately does into everything that comes up. A certain section thought the Dominion Government had the authority, and opinion became divided on that point, and the interest waxed cool.

13079a. Are we to understand that the people thought that the municipal authorities had nothing to do with the enforcement of the Act?—I think so.

13080a. Was that your opinion?—Oh, no.

13081a. You thought that the municipal authorities who had voted for the by-law had to do with the enforcement of the Act?—Undoubtedly; that has always been my opinion; but after the appointment of a Police Magistrate, the people thought that the enforcement of the Act depended entirely upon that officer.

13082a. Was his business not to try the cases that came before him, not to search them out?—Oh no, not to search them out.

13083a. You said that there was a conflict of jurisdiction, and you thought that had to do with the non-enforcement of the Act?—There was an apparent conflict.

13084a. When was the conflict settled?—In 1886, I think.

13085a. And the voting on the Act took place in your county in what year?—If I remember rightly, in 1885.

13086a. And the Act came into force when?—As to that, I am at sea.

13087a. I think on the first of May, 1886; so that there could be only a very short period during which there was any doubt as to jurisdiction?—There was a longer time than that, I am quite certain, though I have no data by which to fix my memory.

13088a. Do you remember the figures of the voting at all?—No.

13089a. I understand, but I have no positive information on the subject, that the question in reference to jurisdiction was settled in 1886, the voting on the by-law took place on the sixteenth of July, 1885, the number of votes on the list was 14,490, of whom 3,412 voted for the Act and 2,061 against it, giving a majority of 1,351 for the adoption of the Act, and my impression is that it went into operation on the first of May, 1886. It was voted on again on the fourth of April, 1888, when there were 15,800 electors on the list, and 2,866 voted for the Act and 3,787 against it, giving a majority against it of 921. These figures would indicate that some who had voted for it on the first occasion did not vote for it on the second occasion?—Rather that the advocates of the Act refrained from voting on the second occasion.

13090a. Shall we be right in concluding that your opinion is that owing to this conflict in regard to jurisdiction the persons who favoured the Act in the first instance really became indifferent to it in the second instance and refrained from voting?—Yes, I think so. I think that is fully borne out by the re-enactment of the local option law, virtually the same kind of law, in the township of Pickering.

13091a. Yet it is your opinion that the Scott Act did a great deal of good?—Undoubtedly, in the shape of educating public opinion.

13092a. You have told us that you think crime was less—there were fewer cases before magistrates?—I think so—fewer that came within my knowledge.

GEORGE DOIDGE.

13093a You spoke of the whole county?—I was not the secretary of the proceedings of the whole county.

13094a. I am aware that you were not, but you answered that you were decidedly of the opinion that they were fewer?—I think so, decidedly.

13095a. And yet, notwithstanding that change, those who were in favour of the Scott Act in the first place refrained from voting to keep it in force?—Yes.

*By Judge McDonald :*

13096a. Do you think the people themselves were cognizant of the fact you have mentioned, that within the three years there had not been a commitment to the county jail for drunkenness? You do not know whether that was brought forward at all?—I do not think so. I have no knowledge of such a thing having been done.

The Commission adjourned.

TORONTO, October 28th, 1893.

The Commission met at ten o'clock a.m.

Sir JOSEPH HICKSON, Chairman, presiding.

*Present :*

JUDGE McDONALD.

REV. DR. McLEOD.

MR. G. A. GIGALT.

Rev. W. CLARK, Professor of Trinity College, Toronto, on being duly sworn, deposed as follows :—

*By the Chairman :*

13097a. Are you a graduate of one of the universities on the other side of the Atlantic?—Yes, I am a graduate of two universities—Aberdeen and Oxford.

13098a. How long have you been connected with Trinity College?—Rather more than ten years.

13099a. Are you familiar with the terms of the Commission under which we are proceeding?—Fairly so, I think.

13100a. It will perhaps, be agreeable to you to make a statement to us, bearing in mind the general outlines of the Commission, of your views in regard to the matters about which we are inquiring?—Of course, my experience may not have been worth much in this respect; but I have had experience as a parish clergyman, and I have gone about this country a good deal preaching and lecturing, and in this way have had some opportunities of knowing the workings of the Scott Act. If prohibition is the real question at issue, I should myself be opposed to it, both in theory and in practice. I believe it is wrongful in theory and hurtful in practice.

13101a. You were going to speak of your experience of the Scott Act?—Of course every one has his own notions at the beginning, and I may mention, just in illustration of the two points, namely, the theory and practical working, that some years ago I met in the eastern part of Ontario a magistrate who was advocating the Scott Act. I said to him, "Well, you will, of course, be prepared in the first place for illicit distillation; in the second place, selling without license; and in the third place, lying and perjury to a large extent." Some years afterwards I visited the same part of the province, and asked him what he found. He said: What you told me beforehand, we found illicit distillation, unlicensed selling and perjury; and not only so, but a number of whisky shops, I suppose they were, which were set up under the Scott Act, carried on their business, for a time at least, after the abolition of the Act in that locality.

13102a. You mean the illicit places?—Yes; perhaps I had better not mention places; but in another town I was told by a clergyman of the place and by others, that before the Scott Act they had fifteen places for the selling of liquor, and during the time the Scott Act was in operation they had thirty-five.

13103a. Have you given any thought to this question: why the people, having voted by large majorities to adopt the Scott Act, failed to enforce it, and at a later period (three years practically) voted for the repeal of the bylaws?—Yes, I think that is not unintelligible. When the measure was proposed, all those who were in favour of it were in motion, so to speak; others did not realize the meaning of what was proposed, and consequently a number were partly indifferent, and abstained from taking any step for or against it. Then, when they saw what actually came out of the working of the Act, those who were inconvenienced by it were stirred

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to activity. Many who had voted for it at first saw the evils of it to be far greater than they apprehended, and so either abstained from voting at the second voting or voted against it. Many were inactive at first, not really knowing what was coming; and others who were active at first became either passive or opposed to the Act afterwards.

13104a. Have you ever lived in a community where a prohibitory law was in force?—No; but I remember mentioning at a meeting what I thought was the effect of too great stringency as opposed to reasonable liberty. I contrasted London and New York. On the Lord's Day, for example, I judge that every one will of course be glad that no liquor should be sold at all. But in London beer can be obtained from one to three in the afternoon, and from six to nine in the evening. I am not sure of the hours. I have a very strong conviction of my own probably that there is not a gallon of beer sold in the great city of London out of the hours during which it is permitted to be sold; whereas in the city of New York all the saloons are theoretically closed during the whole of the Lord's Day by law, but are practically open. I have been in New York a great deal, for weeks at a time, and people have said to me, "Oh, yes, anybody can get as much beer as he likes on Sunday." The reason for that seems to be this, and it is a very serious consideration, in this whole movement, that the members of the legislature dare not refuse to pass these laws or probably they would not be returned. They are forced, so to speak, not exactly by public opinion but by a certain party which can influence their election, to pass these laws. On the other hand, the aldermen of New York dare not enforce the laws, or it would be bad for them. So that we have one set of men passing laws by constraint, and another set of men prevented by constraint from enforcing them.

13105a. Have you resided or stayed for any considerable length of time in the State of Maine?—No. I have passed through it, but I do not think I have ever spent a day and a night in Maine.

*By Judge McDonald :*

13106a. Have you travelled in any of the continental countries?—Oh, yes; a good deal. I had a house in France for two years.

13107a. What is your experience of the habits of the French people in regard to beverages, and as to the effect that those beverages have upon them as a people?—I am afraid there is more drunkenness in France than there was. I do not think there is more drunkenness in Germany than there was.

13108a. In France is it in any particular section?—I think that in Paris the workmen drink a good deal of absinthe; but in the country places they drink principally claret, and there I think you find very little drunkenness.

13109a. We have been told that in the north of France there has been an increase of drunkenness, which has been attributed by some to the fact that the destruction of the vines by the phylloxera has made wine dear, and the cheap potato spirit has been manufactured and used in place of wine?—I was not aware of that. But my impression was that the drinking of absinthe instead of claret in Paris has led to a great deal of drunkenness.

13110a. The theory has been put forward that the use of the ordinary light wines has produced a taste for stronger liquors afterwards, and has in this way led to drunkenness?—As far as I have been able to judge, I should say that the very reverse is the case. My observation has rather led me to believe that children brought up to take a little wine moderately from day to day are seldom likely to become drunkards. I have remarked that those children who have been kept from every kind of stimulant are those who when emancipated try experiments on the thing that has been kept from them.

13111a. From your knowledge of history, is it a fact that the use of light wine has been prevalent in France for centuries?—Yes, and in Germany.

13112a. If the result of the use of light wine was to produce drunkenness, would it not have been reasonable to have looked for it in some of the previous centuries, and not to have waited until to-day?—Quite so. I fancy that the change in their customs has come out of a change in their civilization and their circumstances, and so on.

13113a. Can you give us information as to the state of things in Germany?—There is a great deal of the drinking of lager beer and Rhine wine in Germany. I have been

in Germany a good deal, and I do not think I ever saw a man intoxicated in Germany. One sees in the beer gardens in the evenings all classes of people sitting about drinking beer.

13114a. Do you believe, as the result of your observation, that the custom of men sitting down to sip their beer or other drink, while engaged in conversation, is better than the habit of standing at a bar and drinking liquor, as is the custom in Canada?—Oh, yes, I think the old way is much better.

13115a. Have you considered whether it would be an advantage to have more of the German custom in Canada?—Yes. I think that if drinking at the counter could be stopped, and if the restaurants were allowed to sell beer and wine, it would be of immense advantage. Both here and in New York a man sits down to his dinner and drinks ice water, and then, after dinner, rushes off to the bar and has a drink, or perhaps he gets a drink before he goes in to his dinner. That, to an English gentleman, is a very heathenish way of taking liquor. An English gentleman takes his wine or liquor with his food, and has rather a bad opinion of a man who takes his drink between meals. But the exclusion of wine or beer from the restaurants, and the custom of drinking at the counter, discourages the use of wine and beer at meals, which I believe is beneficial, and encourages the use between meals, which I believe is hurtful.

13116a. Have you observed that what is called the treating custom leads also to more being drunk than would be the case if each individual were simply taking what he wanted as a beverage for himself?—Yes, I think that is one of the worst customs in this country and the United States. It is bad as implying that hospitality is a commercial kind of thing—that a man cannot expect you to give him something without giving you something back again. I think gentlemen could do a good deal to discourage that by a more high-minded way of showing hospitality.

13117a. Have you noticed during the time you have been in Canada whether there has been a marked decrease of drunkenness?—I do not know about decrease; but there never has been much visible to me, at all events.

13118a. Have you paid any attention to the way in which the license law has been carried out in Toronto?—No. I am a very busy man.

13119a. In Toronto, I believe, you have not had the work of a pastor?—I have preached a good deal, but have had no pastoral work except occasionally going to see a sick person whom I have known or who might wish to see me.

13120a. A minister of one of the communions the other day, giving evidence before us, told us that he had never known the case of a moderate drinker who had not become an immoderate drinker. What has been your experience?—My difficulty is rather to remember any moderate drinker who has become an immoderate one.

13121a. Speaking from your knowledge of men in England—men in public life, clergymen, professional men, and others—have you observed whether any large proportion of them are what would be called moderate drinkers?—Nearly all of them. The men I dined with in England were either clergymen or squires or professional men or tradesmen in my own parish, who were not inferior to the others in intelligence or character.

13122a. And I understand you to say that the immoderate drinkers would be a small proportion if any?—I remember several who drank too much, but they had drunk too much all the time that I had known them. I do not remember one instance of a moderate drinker becoming an immoderate drinker. It may have happened, but I cannot recollect it.

13123a. Have you given any attention to the question of heredity, that is, as to whether the children of those who have used drink in moderation have used it immoderately?—Yes, that is often so, but not always. I have known cases in which parents both of whom were total abstainers had several children who were drunkards.

13124a. Have you noticed whether the children of parents who took it in moderation became immoderate in their use of it?—Not only so, but I have known children of total abstainers to become drunkards. Oh, yes, I have known children of moderate drinkers who were drunkards.

13125a. Would the proportion of the children of moderate drinkers who become immoderate be a large or a small proportion of the children of such parents?—It is very

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difficult to answer the question, because one has had his attention attracted to extreme cases. For example, I have known several drunkards whose children were deterred from drinking by seeing the evil effects of it in their parents. So that one could not say what the consequences were in their constitution, not having made a wide enough induction. I do not think I am in a position to give an opinion on that subject except in isolated cases.

13126a. What strikes one is whether, seeing that there is such a large percentage of moderate drinkers in England, the next generation may not have shown the results one way or the other?—There is no doubt that in England, and in Scotland more than England, drinking is much less than it was. In Scotland, when I was a boy, nearly everybody got drunk from time to time, and it was not thought very much of. Now, for a man to be drunk once, would I think, be considered discreditable.

13127a. Will you kindly make a statement of your opinion of the principle of prohibition, if you have given the matter consideration. I may state that the prohibition that is proposed by those who have appeared before us in support of it is in all cases a prohibition of the manufacture, importation and sale for beverage purposes. There is a difference of opinion as to the extent to which that should be carried. Some would allow the farmer to make his own cider and his own wine from the material he grows: others would make the prohibition so sweeping as to exclude that; as a general thing, all favour the exception of liquor for mechanical, medicinal and sacramental purposes. In connection with such a scheme as is proposed, what is your opinion first on the principle of prohibition?—Of course one can look at it from different points of view. It would be almost impracticable, that is my first remark. As a principle, in seems to me to be quite inconsistent with the Divine government of the world for one thing. God does not make us good and strong by locking up all the cupboards in our houses or in the universe which may contain anything hurtful. As I said some time ago to a gentleman who advocated the Scott Act, "If the Divine Providence wanted a Scott Act, He could have it." That is really the whole question as regards the principle, because when we have said that, we have also said that it is better that men should be brought up in the midst of a certain amount of temptation, otherwise there could be no moral excellence. As the Bishop of Peterborough, Bishop Magee, said some time ago, "I would rather have England free than England sober." He was very much misunderstood; but what he meant was that if England were not free it could not be morally good, because there is no moral goodness without freedom, and if England were free, England might ultimately become sober by moral excellence. That was what he meant.

13128a. You deem a prohibitory law, then, impracticable of enforcement?—It means abandoning the regulation of the traffic. If you regulate it wisely, you can pretty well carry out your laws. You may legislate, but you cannot enforce laws which are not supported by the opinion of the people among whom they prevail or rather do not prevail.

13129a. In case of a prohibitory law such as I have described, do you think it would require, not merely a majority, but a large majority of public sentiment?—I think you would require practical unanimity—not unanimity, but practical unanimity.

13130a. In case of the enactment of such a law in Canada, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—Certainly, I have always thought so.

13131a. We have already had it from many clergymen of the Church of England, but would like to have from you also, a statement as to what is to be used in the Holy Communion, according to the requirements of that church. We find that while some people advocate the use of what is called unfermented wine, some clergymen of the Church of Rome and of the Church of England have told us that it is not wine unless it is fermented: and therefore I ask you as a clergyman of the Church of England what that church requires to be used in the Holy Communion?—I do not know that it has ever been legally decided. As far as I know, the Bishops in England have declared that the wine to be used must be fermented. At one time I myself thought that perhaps unfermented wine might be used, so that I had no prejudice against it; but when I

looked into the subject I came to the conclusion that the New Testament wine was fermented wine, and therefore that our Lord intended fermented wine to be used.

13132a. And the custom of the Church of England is what?—I do not know any instance in which unfermented wine is used; but if it were quietly used I do not suppose any objection would be raised, unless some one carried a complaint to the Bishop.

*By Rev. Dr. McLeod:*

13133a. In your experience as a pastor, what was your observation of the effects of the liquor traffic on your parishioners?—You mean the actual drinking of wine and beer? I have always thought that the moderate use of wine promoted pleasant fellowship among men; and I have very seldom seen excess in any society that I have been in. Among the working class there were some, but not any large number, who drank to excess; and there both myself and the curates of the parish who worked with me encouraged total abstinence. In fact, I was myself a total abstainer for several years, finding it difficult to get workingmen to abstain without doing so myself, and only took wine on the advice of a physician. So that I had no prejudice against total abstinence. At the same time, while a total abstainer, I had always wine for my friends.

13134a. Did you observe that any proportion of the poverty and the domestic distress and disunion that you met with were traceable to drunkenness?—Yes, among the working classes largely.

13135a. Did you ever notice among other classes domestic infelicities due to drink?—Yes, now and then; not frequently, in my observation.

13136a. Are we to understand that you regard with favour Sunday sale within specified hours?—That would depend. Not always nor everywhere. I should regard that as a practical question. If I found that it was impossible to prohibit it altogether, I would rather allow it within certain hours than have the law broken.

13137a. For instance, in Toronto do you think it would be well to establish Sunday sale within certain hours?—I have no knowledge that would lead me to that conclusion. If it were found that there was much selling of liquor in the city, of which I have no knowledge, then I should say it would be far better to have certain hours within which selling would be allowed than to have the law broken.

13138a. That is to say, if some of the licensees were to break the Sunday law, you would change the law so that it would not be broken?—Not exactly that. You find that if there is a strong demand on the part of the public for a thing, it will be obtained whether there is a law against it or not.

13139a. I thought you instituted a comparison between London and New York, expressing your preference for the system that prevailed in the former city of allowing Sunday sale within certain specified hours?—Yes, I was instituting a comparison between a reasonable and an unreasonable law, but I did not mean to convey that it would be desirable to have liquor sold on Sunday everywhere. For instance, in either of those two great cities it would be better to license its sale within certain hours and have that kept, than to forbid it, and have that law broken.

13140a. And you think the licensees do observe the prohibited hours in London?—Oh, I think so, almost universally. I have never heard of an instance to the contrary.

13141a. And if there had not been that provision allowing sale within certain hours, they would have disregarded the law?—I think so.

13142a. You have to do considerably with young men; have you noticed the effect of the saloon as established on young men?—Our students mostly live within the college walls, and we have certain restrictions in regard to the furnishing of liquor to them. They can have beer with their dinner at the college table in the middle of the day by paying for it. In other respects we have rather restricted them in that respect, and I have never but once or twice heard of a man having too much to drink, and have never seen it myself, and I am about the college all hours of the day and night.

13143a. What is the object of these restrictions?—For example, at one time we used to allow them to have beer for their supper. Now we do not. And yet, to say true, I myself would be inclined to let them have beer for their supper, because the

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difficulty is, that if they wanted it they would have to buy in a good quantity of it, and they might be tempted to take more than they otherwise would take.

13144a. That would be for consumption in their rooms?—Precisely so. And there is another evil; I am informed that the authorities of the college did stop the beer altogether at one time, and some of the students brought in whisky. I have never heard of anything of the kind now.

13145a. Were these restrictions adopted because the students were inclined to drink too much?—I rather think that it was in deference to the opinion of some that they might. The parents of some of our men of course object to any kind of stimulants being used.

13146a. I think you spoke of drinking between meals with disfavour?—Yes.

13147a. How are men to be induced to drink at meals only?—The Church of England Temperance Society has a double pledge; the one pledge is total abstinence, and the other is to drink only at meal times and not to treat.

13148a. You think that is the judicious pledge?—I think both are judicious.

13149a. I mean that system of the two pledges?—I entirely think so; and I think that the way in which a certain section of the Church of England Temperance Society has urged the total abstinence pledge to be the only one, has greatly crippled the usefulness of the society. Fifteen years ago the power of that society was enormous, and I think you will find that at about that time drinking decreased very largely in England; but the extreme party drove the moderate party off their platform largely. I will not say that it was *propter hoc*, but *post hoc* I find that drinking has increased in England again.

13150a. Do you regard the saloon as encouraging drinking between meals?—Of course, the existence of the saloon would. But, on the other hand, it would be a very serious thing to suppress the saloons, because then you might encourage the setting up of illicit ones. I think that one thing should be remembered, that if you could get larger establishments and men of more responsibility and better character to conduct them, it would be better. I think we have made a mistake in taking it for granted that everybody who sells liquor is a bad character.

13151a. That seems to be a general belief, does it?—Quite so; and of course if you give men a bad name it does not improve them.

13152a. Have you observed any change in the status of the men in the drink trade? Are they differently thought of by the community at large from what they were, in your recollection?—I do not quite understand.

13153a. Twenty years ago were men in the drink trade better thought of than now?—I think so.

13154a. To what do you attribute that change?—Partly, no doubt, to improvement of the people, and partly to the persistent attacks of the prohibitionists.

13155a. Is it in any degree attributable to the fact that the people have come more and more to regard the drink trade as a menace—as a dangerous thing?—Possibly. But I do not think it is because the trade is carried on with less conscience in England; for I remember, when working in the British Museum on some literary work at one time, lunching at a private bar at one of the public houses in the neighbourhood; and I constantly saw the people who supplied the beer and other liquors say to the people who came in, "I cannot give you anything; you have had enough."

13156a. Do you from your observation regard the drink trade, as established and carried on, as in any degree dangerous to the community?—I should think it would be more dangerous to suppress it than to carry it on.

13157a. Is it dangerous in any degree?—Only dangerous in the same way that everything is dangerous—musical instruments and ball-rooms and theatres.

13158a. You do not regard it as being different from any of these things.—No. I should put it in the same category. There are dangers connected with all amusements.

13159a. I think you said that you could not recall any case of a moderate drinker becoming an immoderate drinker, and also that you could not recall any immoderate drinker whom you had known as a moderate drinker?—I was thinking of that question again. Perhaps I gave my answer with reference to people of middle age. I have

heard of people who had developed into immoderate drinkers ; but I do not think I have known the case of a man coming to the age of thirty and becoming an immoderate drinker after that age.

13160a. As one who has had opportunities of observing young men from boyhood, have you observed any considerable number who began in a moderate way while they were boys at home, and who before they reached the age of thirty had come to be excessive drinkers ?—I think I had better give you an answer that was given to me by a young man in my parish who had come back from South America. I was doing what I could to bring about total abstinence among a certain class of people, and I was myself a total abstainer. He said, "I have no doubt you are well meaning ; but I can give you my testimony, that all the young men who were drunkards in South America were sons of teetotallers."

13161a. Do you conclude, from that, that the total abstinence in parents is likely to produce drunkenness in children ?—Not at all. But I think there is greater danger to children in making it a sin for them to take a glass of beer than there is in allowing them to have a certain portion, and using it in moderation.

13162a. You are inclined to the belief that if children were given light drinks and encouraged to use them in moderation, it would be better—there would be less liability to excess ?—I believe that it would be better to bring up your children to know the use of beer and wine. I would not give them spirits except medicinally and under medical advice. I would teach them to use these things and to be on their guard against the abuse of them, rather than to shut them off from them altogether. I have known families who were brought up in the way I am speaking of. I know one family of seven sons. They have their beer occasionally, not regularly ; they had a glass of wine on great occasions when they wanted it. I know another family, closely related to the first, where the children were taught that it was wrong to drink a glass of beer. In the first family I have never known any of the seven boys to have been drunk, while I have known the sons of the other family often to have been drunk. I can only judge by cases of this kind.

13163a. I notice that you distinguish between the classes—between what are called the better classes and the working classes, the lower classes ?—I did not call them better and lower ; I spoke of the working classes. What I think is this : that when the self-respect, which is growing among the working classes, has reached the same point that it has among the professional classes and trades-people, then they will be under the same restraints. After all, it is the teaching of self-respect that is going to do this work.

13164a. And you would not in the meantime make any difference in the restrictions ; that is, you would not make regulations for the government of the drink trade, as it is patronized by the labouring classes, that you do not make for the drink trade as it is patronized by the professional classes ?—Oh, no ; I think that would be very dangerous. I would not throw needless temptations in their way, and I would impose any restrictions which I thought would not produce evils worse than those we try to remedy.

13165a. You spoke about clergymen drinking ; do you know clergymen who would drink other than moderately ?—I have known some, not many. I do not think I know any in Toronto—certainly not.

13166a. Of course you believe in moral suasion as to this and every other form of wrong, I suppose ; would you depend entirely on moral suasion, without any resort to legal regulation or restriction ?—I think there should be greater power than now exists by law, of shutting up habitual drunkards. At present, in England a drunkard may be shut up with his own consent, I think.

13167a. Would you provide homes for them, supported by the Government and under governmental control ?—Certainly, I think it would be a very good expenditure of public money.

13168a. Speaking of the Scott Act, you said that Divine Providence could easily make the Scott Act if He wanted it. Is that true of other laws also ?—Precisely so. Of course, we might be made without liberty.

13169a. But Divine Providence has not created other laws of a similar character ? What do other laws do ?—They punish. I have no objection to the punishment of drunkenness.

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13170a. But you would not interfere with the trade which in some degree is supposed to be responsible for the drunkenness?—The making of very expensive dresses and jewellery and so on, is a temptation to extravagance and theft and I would no more stop the manufacture of liquor, which I believe to be useful, than the manufacture of ornaments, which are most commonly mischievous, because people will abuse them and they lead to extravagance and theft.

13171a. And you put these things on the same ground?—I must, for the latter are worse than the former, if anything.

13172a. Could you state briefly how far you would regulate the drink traffic?—I would regulate the hours of selling. Of course, I would punish severely any one who violated the law. But then I would be very careful to have reasonable laws, and then enforce them; that seems to be the principal thing that is needful. Of course, any one who became intoxicated in such a way as to disturb his neighbour should be punished, no doubt very lightly for the first offence, but if repeated and repeated again, very severely. Then, any one selling liquor to a person visibly or probably intoxicated should also be punished. I believe there is a way of endorsing licenses, and then withdrawing them after several endorsements. But I think if we took a little more pains to assert our belief that the business is a respectable one, we should strengthen the self-respect of the sellers of drink, and we should therefore have less of that.

13173a. Have you observed that the more respectable men are year by year going out of the business?—No, I have no means of knowing any but the respectable ones. I think the wine merchants are very much the same class that they used to be.

13174a. You are speaking principally of men in England?—No, wine merchants here. I have no dealings with saloon-keepers, so that I cannot tell.

13175a. Given the saloon which sells liquor only, and the hotel which entertains people and has a bar, which would you regard as the more dangerous, the hotel bar or the saloon?—I should think the saloon; but I am speaking simply speculatively.

13176a. This idea has been suggested, that the hotel bar is the more dangerous in, that young men and others can easily go to a hotel to see a friend, and are then enticed into the bar where they form the drink habit; whereas when a man goes to a saloon, he goes there only to drink, and he must have got along some way in the habit before he is quite bold enough to go there. It has been argued therefore that the hotel bar is the more dangerous?—I quite see the argument. Of course, it would need experience in order to decide.

13177a. You have not thought of that?—No. But I am very much opposed to that way of drinking altogether. I think it would be better for them to sit around a table. The drinking ought to be either for food, health or sociability; among those I knew at home these were the only reasons why they drank—because it was good for them or promoted reasonable sociability. This modern way of drinking before a bar is very objectionable to me. I think it comes from Americans being in such a hurry. They devour their dinner as fast as they can, and then they go to the bar and take down a drink as quickly as possible.

*By Mr. Gigault:*

13178a. Do you believe that three-fourths of the population of Toronto are moderate drinkers?—I should think so, certainly.

13179a. Do you believe that the moderate use of wine is reprehensible or a nuisance to the public?—I believe it is beneficial to most people; I will not say to all.

13180a. I think you said that you would not prohibit the manufacture of liquors because they are abused?—Certainly not.

13181a. Do you think it would be wise to prohibit the manufacture of matches because criminals use them sometimes to set fire?—Certainly not.

13182a. Has the Scott Act brought disorder and lawlessness into the counties where it was in force?—I have gone about in Ontario a good deal, and I have not heard of one place where it was beneficial, and in every place I have heard it was mischievous.

13183a. What is the effect upon the community of lawlessness or of a law which is openly or flagrantly violated?—I think the tendency is to make people break all laws. If I break one law, why should I not break another?

13184a. Do you think if such a state of things exists, there is more disorder on Sundays than there would be otherwise?—I have seen a good deal of disorder on Sunday in most of the places I have known. There has been very little in London. I do not think I have lived in any other place where drink was sold openly on Sunday; therefore I could hardly compare London with any other place. But undoubtedly in New York there is a good deal of disorder on Sunday, and there theoretically drink is not sold.

*By the Chairman :*

13185a. I think my colleague's question was to this effect, whether there was more disorder on Sunday in the counties or places where the Scott Act was in force than there was when the license law prevailed in them?—So far as I know, there was very little difference, because in neither case was there any selling openly on Sunday. But I have no means of answering that.

*By Mr. Gigault :*

13186a. If sugar were mixed with grape juice, would you use that as wine for sacramental purposes?—No, I should not, I would try no experiments. I would have the regular proper wine.

13187a. Do you think that would be really wine which could be used?—If it were fermented I suppose it would be wine.

13188a. If sugar were mixed with it, would you call that the pure juice of the grape?—If sugar were mixed with it and no fermentation took place, undoubtedly I should not call that wine. Beyond all question of reasonable men, our Lord used fermented wine; he used it at the marriage of Cana and at the Passover. Therefore I hold it to be unlawful in the Church to alter what our Lord has ordained. That is my view of the matter.

*By Judge McDonald :*

13189a. I think you discriminated to a certain extent between the use of whisky and the use of beer and light wines, in preference for the latter?—Certainly, especially for young people.

13190a. And therefore, I suppose it might be put in this way, that you believe fermented liquors are preferable to distilled?—For young people, certainly.

13191a. But for others?—Some persons cannot drink beer or stout. In such cases pure whisky used in moderation is a valuable liquor.

13192a. Have you noticed at all whether adulteration prevails to any extent either in this country or in England?—I believe that when the Scott Act prevailed the liquor sold was very bad and very much adulterated. I cannot say that I have any means of knowing about that, because I deal with respectable wine merchants who give me the same thing always.

13193a. Do you know anything of the Norwegian or Swedish system?—Very little.

13194a. Have you considered the advisability of the liquor business being so conducted that the individual who sells shall make no profit out of it?—Yes, I think that is quite worth consideration. The only difficulty about it is this, that things managed by the Government are not generally well managed.

13195a. I suppose because they are likely to be influenced by party or political considerations?—Yes, and the fact that men have not a direct interest in the thing makes them careless and extravagant.

*By the Chairman :*

13196a. Under the Swedish system, the liquor is sold by a company under certain regulations providing for a fixed percentage of profits, and all the profits above that are applied by the municipal authorities to certain public objects. Is there not a danger under such a system of there being an attempt to increase the profits in order to relieve the municipal burdens?—Certainly, that would be a temptation. After all,

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that remains with the public, as in every other case. If you have public opinion favouring that kind of thing, it will go on; if public opinion condemns it, it will be stopped.

13197a. The result in Norway and Sweden is that the profits have very largely increased, and there has remained a large surplus to be applied by the municipalities; and the expenditure is not confined so exclusively as it was when the system was originated, to objects calculated to secure temperance and the well-being of the people, but it is said is being applied to the building of bridges, the improvement of roads and similar objects, which ought to be paid for out of the taxes of the municipalities?—If they are being paid for out of the liquor sold, why should they not be, if nobody is the worse?

13198a. Then, if it is an object to obtain as much profit as possible out of the sale of liquor, would that not be really encouraging the sale?—I think it would be rather discouraging it, because it would be putting a higher price on it.

13199a. I think you misapprehend me: if there was a certain profit on a gallon, there would be so much more profit on twenty gallons?—Of course, the question would arise, then, is this evil greater than the other method would produce? It is a practical question which would need experience and knowledge to decide.

HERBERT HARTLEY DEWART, on being duly sworn, deposed as follows:—

*By the Chairman:*

13200a. Are you a resident of Toronto?—Yes.

13201a. Have you been here long?—I have lived here for twenty-four years.

13202a. Are you a member of the legal profession?—I am.

13203a. Do you hold any official position at present?—I am Crown Attorney for the County of York.

13204a. Your appointment was made by the Provincial Government?—Yes.

13205a. How long have you held that office?—A little over two years.

13206a. Do you attend to the business in the City of Toronto as well?—After Mr. Badgerow's death, the Crown Attorney for both the city and the county, there was a division of the work. Mr. Curry is the City County Attorney, attending exclusively to the business in the Police Court. I attend to the county work, and all the jury work both of the city and the county.

13207a. Have you many cases arising out of drunkenness?—A considerable number, but the greater majority of the cases arising out of that are disposed of in the Police Court.

13208a. Do you think they are increasing or falling off?—My experience is not of a sufficiently lengthy character to enable me to give you an opinion that is worth anything.

13209a. Was the Scott Act in force in York County?—No, though I remember the time when it was in force in several other counties.

13210a. Have you lived in any county where the Scott Act was in force?—No. I have been in several counties during the time it was in force.

13211a. What is your opinion as to the effect produced by the Scott Act on the sale of liquor, on the offence of drunkenness, and on breaches of the liquor law?—My impression, based only on my observation in such counties as I have been in, was that the sale of liquor was lessened and that there was less drunkenness; I mean the retail sale in hotels and saloons.

13212a. Did you think the consumption was less?—That was my impression. It could hardly fail to be less, because where I went I found that as the disapproval of the law was placed on the sale of liquors, the sale was conducted in an illicit and secret way. I remember being in Georgetown and Milton and also in several parts of the County of



Lincoln during the time the Act was in force. I was curious to see how far it had been enforced, and I found in each case that the sales were made in a private way, and there was a good deal of mystery about the process of selling. You had to go through a good deal of manoeuvring to get a drink at all.

13213a. But you think sales were made?—Oh, they were made.

13214a. Have you any particular county in your mind, or are you speaking generally of your experience?—I am speaking particularly of Halton and Lincoln.

13215a. Do you think there was a decrease in the vice of drunkenness in those counties during the period the Act was in force?—I never saw any drunken men in any Scott Act town while I was there.

13216a. Do you think there was any before the Scott Act was put in force?—Presumably so. If I remember the records of the various counties, there was a diminution in drunkenness.

13217a. Do you think there were many offences against the Scott Act during the time it was in force?—Undoubtedly. There were a great many, I believe.

13218a. Do you think they were more numerous than the offences against the law that was in force prior to the adoption of the Scott Act?—Probably yes, because of the determined opposition that was made to its enforcement by those opposed to the law. They were not loyal to the law as it stood. They did not insist on its enforcement as I consider that a reasonable minority should.

13219a. Do I understand that you think the offences against the law were more or less during the time the Scott Act was in force?—I should think more by unlicensed sellers.

13220a. Have you formed any idea as to the cause for the change in public opinion which lead to the speedy repeal of the by-laws adopting the Scott Act?—I think that in most cases the change of sentiment was due to the fact that the law was not enforced, in some counties because of the apathy of those whose duty it was to enforce it.

13221a. Who were they?—For example, the Inspector in the County of Elgin, as my recollection is, did nothing practically toward the enforcement of it, and that is one county, if my recollection serves me, where the law was very badly enforced.

13222a. The Inspector was appointed by the Provincial Government, was he?—I presume so. I merely recall the fact that he was not in sympathy with the law, and I think the fact that those who were opposed to the law placed such difficulties in the way of its enforcement, has led those who were neutral in the matter to believe that public opinion was not behind its enforcement.

13223a. Taking the County of Elgin, do you think that a majority of the really qualified voters were in favour of the Scott Act when it was submitted originally?—Yes, I think so then.

13224a. Is it not rather extraordinary that a majority of the voters and those who really pay taxes in the county should not have insisted on effect being given to what they themselves had voted for?—No, not when they found out the law they had voted for was not being enforced.

13225a. It was the enforcement of the law that I referred to; is it not extraordinary, seeing that they were in a majority, that they did not insist that the law should be enforced and given effect to?—It may be, but it is sometimes difficult to get neutral men to take an interest such as they ought to take.

13226a. I understand you to say that a majority of the electors were in favour of the law, and yet were not willing to put the law in motion?—We find that to be the case in numerous criminal offences; those whom you reasonably expect to be interested in enforcing the law are very loath to put the law in motion.

13227a. Shall we be correct in concluding that you think that although a majority of the electors voted in favour of the Scott Act a majority of them were not in favour of expending the requisite money to procure the requisite means to give effect to it?—I do not know that I would go so far as that; but had not sufficient interest to press for the necessary expenditure and the adoption of the necessary means to enforce it.

13228a. If a majority of the electors were in favour of the law, would it not be natural for them to have elected to their municipal councils a majority of members who were in favour of the law and would be prepared to give effect to it?—I do not compre-

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hend how the election of these municipal councillors would assist in giving effect to the law.

13229a. The local police and officers of that class act under the direction of the Municipal Council?—Yes.

13230a. And the Municipal Council could have adopted means to compel the Inspector to prosecute, and there are many other things it could have done. In the County of Elgin, for instance, did they show any desire to give effect to the law?—I do not think they did. I think they were practically discouraged, and did not do so.

*By Judge McDonald:*

13231a. I notice from figures before me that the Act was voted on in the County of Elgin on the 19th of March, 1885; there were on the list 9,970 voters, and the votes polled were 3,335 for the Act and 1,479 against it, and showing a majority of 1,856 in favour of the Act. On the question of repeal there were over 10,000 voters on the list, and the vote was, to retain the Act 547, and to repeal it 1,770, or a majority of 1,223 for repeal. I understand you to say that you think the people were disheartened about it?—Apathetic.

13232a. Did you conduct any Scott Act prosecutions when the law was in force?—No.

*By Rev. Dr. McLeod:*

13233a. Did you observe just what were the difficulties in the way of better enforcement of the Scott Act?—One difficulty, that I recollect, was a little question as to what parliament should enforce it—whether the enforcement should not be a matter regulated by the Scott Act itself or by the Dominion Parliament; or, on the other hand whether it was the duty of the Ontario Legislature to enforce it. I think that was one circumstance which assisted in the failure to enforce it.

13234a. Speaking of municipal councils, the question is sometimes suggested, if the people were largely in favour of the Scott Act, they would be careful to elect councillors who would appoint officials to carry it out. Have you observed that into the election of municipal councillors a great many things entered other than matters of temperance, pure and simple?—Quite so. It is a matter that has very little place in the consideration of the people at the time of the election of municipal councillors. I know that, for I was for three years License Commissioner under the present License Act in West York, and I know, in reference to cases of individuals charged with violating the law, that these questions hardly came into play at all in connection with municipal elections.

13235a. As Crown Attorney, have you observed whether any percentage of the cases with which you have to do are traceable to the drink traffic and the drink habit?—Yes; I should say a fair percentage. But as a matter of fact, the cases with which I have to do are perhaps of a little more serious character, and would arise from a variety of circumstances. So far as perjury is concerned, we have now occasional prosecutions for perjury arising out of evidence given in cases under the License Act, and I can only say that if every case in which we believe perjury is committed were prosecuted, we would have a very large docket every session.

13236a. In liquor cases there is a tendency to perjury?—Oh, yes, in cases arising under the law as it stands; they are cases of unlicensed dealers.

13237a. To what do you think that tendency to perjury in liquor cases is attributable?—It is rather difficult to say. My experience is that the majority of cases in which perjury is committed are cases in which the liquor is sold by unlicensed vendors. The average licensee under the Act as it stands to-day, has a good deal of self-respect, and where a clear case is made out against him, he generally pleads guilty, unless he thinks there is a legal ground on which he may escape. But I should say that the fact that those charged are in the main persons charged with selling without a license, that they are persons who have made up their mind to violate the law, would also imply that they have made up their mind to go as far as may be necessary to shield themselves in the violation of the law.

13238a. Speaking of the vote in Elgin County, where not quite half of the electors voted, is it a common thing in municipal elections, and other elections, that only a per-

centage of the electors go to the polls?—Yes; I should say, roughly speaking, that it is the rule.

13239a. Take Toronto, for instance, in its municipal elections?—In Toronto we have had from time to time questions of special importance that would at times bring out an unusually large vote. I should say it would be the same in other municipalities; but there is only a percentage.

13240a. Have you given any attention to the question of national prohibition?—Some.

13241a. Will you state your views?—Though I am not a total abstainer myself, I would personally vote for prohibition in order to give the system a fair test. I regard it as a matter that has never been tested, and I think I would not want to throw any stone in the way of those who honestly believe it to be the best measure. I would prefer to give the opportunity of having a fair test made of a prohibition measure to see whether it would succeed or not. I do not regard it as a final or conclusive enactment.

13242a. From your observation have you come to regard the liquor traffic as seriously interfering with the prosperity of the country in various ways?—I should say that it does interfere. To what extent it is impossible to say.

13243a. And in that view you think the experiment of prohibition would be justified?—I think the experiment would be justifiable because of the measure of evil there is in connection with the traffic.

*By the Chairman :*

13244a. Do you think the prevalence of perjury in liquor cases is because the public look upon offences against the liquor laws as being of rather a less venal character than many other offences?—I think that has something to do with it. But I rather think it arises from the character of the persons who sell. The man who makes up his mind to violate the law is generally a man who deliberately accepts the consequences.

13245a. Do you find that the perjury is generally committed by those who engage in the selling, or by those who come to give evidence as to having got liquor or having seen liquor sold?—The average person who is summoned to give evidence will tell the truth; but the cases in which this perjury chiefly arises are cases against persons who are keeping dives or places where liquor is sold illicitly, and which have their frequenters.

13246a. Are both parties interested in the selling?—Both parties are interested in the selling. The average frequenter, I think, would be quite as willing to commit perjury as the seller himself.

13247a. You would not draw any distinction between the two classes?—Not with reference to unlicensed places.

13248a. Do you think the licensed vendor who happens to be brought under the cognizance of the law is more apt to commit perjury than the person who goes there and drinks?—The temptation would doubtless be greater, but the danger, as I have noticed it, is not as great in the case of licensed vendors as it is in the case of unlicensed vendors.

13249a. Then you think the most of the perjury takes place on the part of those engaged in the selling rather than on the part of those who are called upon to give evidence in regard to such cases?—I should think so.

13250a. I understood you to say that you would be in favour of a prohibitive law as an experiment?—I would vote for it myself.

13251a. As an experiment, did you say?—Partly as an experiment, and partly because I would not want by my vote to put an obstacle in the way of those who favour it.

13252a. Are you satisfied that it would be a success?—I think it is as enforceable as any other form of liquor law. The responsibility of failure to enforce it must rest on those who oppose it.

13253a. I am referring to the probabilities of its being a success as a preventive measure. I thought you rather spoke of it hesitatingly from that standpoint?—My own idea is that it would be probably beneficial, and better than the existing state of things.

13254a. Have you had any experience of the working of such a law anywhere else?—I have never had much experience. I have been on several occasions in Maine—at Portland, Old Orchard, and several other places.

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13255a. Have you given any attention to the character of the law of the State of Maine?—No, I have not. I understand that it is a general prohibitive measure.

13256a. You would have entire prohibition as an experiment; that is to say, you would not allow liquor to be manufactured or imported, except such as might be required for medicinal, mechanical or sacramental purposes?—I do not think I would go so far as to say that the manufacture should be prohibited.

13257a. To what extent would you prohibit the manufacture? Would you allow a farmer, for instance, to make his own cider and his own wine?—I think the manufacture should be under much the same restrictions as it is to-day. Those who manufacture should be licensed similarly to what they are to-day. I think the law, so far as the manufacture is concerned, has proved to work well.

13258a. Would you allow it to be manufactured for beverage purposes?—I do not know how you are going to draw the line if you are going to allow it to be manufactured at all. I think it would be unwise to place restrictions there. A great many of our dealers would probably export what they manufactured.

13259a. Would you permit the manufacture of anything except for medicinal, mechanical or sacramental purposes?—I do not think restrictions placed on the manufacture would be workable.

13260a. Your prohibition extends, then, only to the open sale for beverage purposes?—That is my own idea.

HON. GEORGE W. ROSS, on being duly sworn, deposed as follows:—

*By the Chairman:*

13261a. You are the Minister of Education of the Province of Ontario?—I am.

13262a. Have you been in Ontario all your life?—I was born in Ontario.

13263a. You were some years ago in the House of Commons?—I was eleven years in the House of Commons.

13264a. And we all know, from the press and from such information as reaches us through public channels, that you have taken a great interest in the temperance question for many years?—I have.

13265a. It would be agreeable to you, perhaps, to make a short statement to us on the various points referred to in the Commission?—If I had thought you would have taken that line, Mr. Chairman, I might have thought out something to have said, or brought you a statement. The first matter to which I suppose the investigation of the Commission is directed, as set down here, is "the effect of the liquor traffic upon all interests affected by it in Canada." I suppose that the opinion I would be expected to give on that point would have reference in the first place to its moral effects upon the interests of Canadians. I have felt very strongly on that point for a good many years, from what I saw of the poverty and degradation that followed the excessive use of intoxicating liquors, and I think it is our duty, legislatively at all events, to impose such restrictions upon the traffic as we can, on the one hand, and on the other hand as citizens to educate our people to a proper conception of the danger of using intoxicating liquors to excess. I have gone so far in my own case as to practice total abstinence, and to advocate it in all convenient seasons. I have gone so far, as a citizen and a Member of Parliament, as to support legislation for the restriction of the liquor traffic; I have gone so far as to make the study of temperance and hygiene compulsory in the public schools of the province. This is perhaps all I need to say with regard to my personal evidence on what I believe to be the dangerous tendencies and the injurious effects of the habitual use of intoxicating liquors. The second point is "the measures which have been adopted in this and other countries with a view to lessen, regulate or prohibit the traffic." I have perhaps anticipated this question in saying that I have supported every measure that commended itself to my judgment as being calculated to

lessen and regulate, and within certain limitations even going so far as to prohibit the liquor traffic. All our license regulations are with a view to reduce and regulate it. I was a supporter of the Scott Act when it came before the House of Commons in 1878. I advocated prohibitory measures before they had assumed that form. I supported it and voted for it in my own county where I had a vote. I believe that prohibitory legislation, passed by a community educated properly as to the nature and effects of the liquor traffic, and supported by public opinion, would be effective. "The results of these measures in each case." I believe, from my experience, that the reduction of the number of liquor licenses has promoted temperance. I believe that the closing of our hotel bars from seven o'clock Saturday night until six o'clock Monday morning has promoted temperance. I believe that the closing of the bars on the day on which the municipal vote is taken and on the days of our parliamentary elections, has had the same effect. These were all measures in a general way to regulate the liquor traffic. I believe the prohibition of sale to minors has been good legislation, has had good effects. Prohibition, of course, is the larger measure with which we have to deal. We have not seen very fully the results of prohibition in this province, and I have had no experience of any other. I have read of its results in Maine and in one or two small districts in the old country where some landlord prohibits the sale of liquor to his tenants or employees; and from what I have read of those places I am impressed with the fact that prohibition is effective if enforced. In some of these places I believe it has been enforced and has been effective. The Scott Act, where it was successfully carried out, I have reason to believe has produced good results. I have no documents with me; I am just speaking from general knowledge. For instance, I have heard statements like this from those who saw its operation in Halton, where it was in force longer than anywhere else in the province; that the jail was practically empty—that there were very few convictions for crime of any sort in that county. I merely repeat that from hearsay; it will be for the Commission, of course, to investigate that for themselves. This statement we make: that the results of prohibition in a limited area have been good. If so, they must be good on a wider area. If you begin with the individual, prohibition in his case is a good thing—good for most men. If you take it on election days, it is a good thing for promoting quiet and order; it has had that effect. If you take its effect from seven o'clock Saturday night till six o'clock Monday morning, it has been a good thing, for that has promoted public order, and has been a protection to workmen and the families of many who were accustomed to spend their week's earnings recklessly on liquors on Saturday night. That is, very briefly stated, perhaps all that I can say as to what has come under my own immediate observation of the results of prohibitory measures. We have seen them only on a small scale. I suppose the Commission has taken or will take evidence as to the effects of the Dunkin Act in a few counties of Ontario where it has been in force for twenty years or more. There are one or two townships in Essex where it has been in force, and I have heard of no bad results from its enforcement. The fourth point is, the effect that the enactment of a prohibitory liquor law in Canada would have in respect to social conditions, agricultural business, industrial and commercial interests, of the revenue requirements of municipalities, provinces and the Dominion, and also as to its capability of efficient enforcement. I believe that the social condition of many people would be improved. I believe that families would have more money to spend for comforts and more for education; there would be a better attendance at our schools, because in many cases children are kept home for the want of clothing and the want of books. There would be a better attendance at our churches and Sunday schools. These agencies are all calculated to promote the social good of the people by promoting their educational and religious advantages. I think prohibition would do much in that way. In our agricultural districts intemperance prevails to a very limited extent, I think. I have mixed very freely with farmers in the course of my political travels, and my early associations were among farmers; and I think I may fairly say that the agriculturists of this country are perhaps more temperate than any other class of our Canadian people. It may be from the fact that they are not so much exposed to temptation; it may be that they do not come so often in contact with liquor as other classes of citizens in towns and cities. I think we may say that the necessity of prohibition is less in their case than in the case of others who are

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exposed to greater temptation, and I suppose I might be permitted to say that if the fact of the temptation being withdrawn from them makes them more temperate, possibly the withdrawal of similar temptations from others would have the same effect. I do not know just at the moment what to say as to the effect of a prohibitory law on industrial and commercial interests. Assuming breweries and distilleries to be industries, of course we know what the effect on those interests would be. Cognate interests might for a short time be affected. Those who supply our breweries with the raw material would perhaps find another market for their produce, or use their produce in some other way. There might be a temporary derangement—I do not think it would be at all a serious one—with regard to that industry. I cannot just now think of what other industries would be necessarily affected. I believe that one phase of our commercial interests would be materially benefited; I believe our workmen would earn more wages; I believe we would be in many cases protected from injuries in travel; I believe all our great enterprises would be more successful. I think the clearer a man's head is the more likely he is to be a successful business man. I know of many business enterprises that have failed from the dissipation of those employed therein; and we do hear sometimes of very serious injuries to life and limb and public property from the want of care of those in charge because of their intemperate habits. The effect upon the revenue requirements is the next point. I never had any fear with regard to the maintenance of our institutions, even if we were deprived of the revenue derived from intoxicating liquors. What I have to say on this is more of an argument than perhaps would be construed in a court as a matter of evidence. The revenue of our municipalities and of our Dominion come from the people. I think it is a sound proposition to say that the more temperate a man is the more industrious he is, and the more money he will have to go for all purposes. I believe that if the whole population of Canada were temperate to-morrow they would be quite as able to meet all the emergencies of the Government as they are to-day, with a certain percentage of them intemperate, dissipated, idle, and not self-supporting. It seems to me impossible to conceive that a wholly temperate people could not be as able to bear the burdens of the State as a people who are not universally temperate. I have no evidence on the point; I merely state that proposition. I may be pardoned if I remind you of a remark made in the House of Commons once when a similar question was submitted; Sir Stafford Northcote, who was Chancellor of the Exchequer, said: "Give me twenty-five million sober people in England, and I will not be afraid of the revenues of the British Empire." Give us five million sober people in Canada, and I do not see why we could not find all the money required for the revenues of this country as well as we can when the sober people have to pay for those who are not sober people. Of course, the Province of Ontario receives a considerable revenue from licenses. I think we could find that in some other way; I think we would take our chances of that.

13266a. Referring to the benefits which would result from a prohibitive system, of course they would only arise in the event of the system being effective?—I believe so.

13267a. What experience have we in reference to a prohibitive system; I mean experience over a large territory and amongst a large number of people?—We have had no conclusive experience in Ontario. I have stated just a few instances, but, as I said, they were over a limited area.

13268a. Of course, the benefits that you have referred to would not arise if we had simply a prohibitive law which was not effectively enforced?—Certainly not.

13269a. You would not consider that state of things an improvement on the present system, would you?—I am free to say that a good license law growing stronger and stronger from year to year, as public opinion would warrant, would to my mind be much more useful as a matter of temperance legislation than a loosely enforced and ineffective prohibitory law. I do not believe that ineffective legislation of any kind, on any subject, is any good.

13270a. Have you given much attention to the law in the State of Maine, and the results arising from it?—I have read paragraphs in the newspapers? I read a number of temperance journals. The last that I read on that point was the report of that little Commission that went to Maine in 1875—Mr. Manning and Judge Davis. That was the last report on the subject that I would like to pin my faith to.

13271a. You have probably given sufficient attention to the law of the State of Maine to understand that there is no prohibition of importation by private individuals for their own use?—I understand so. I believe the Supreme Court has held so.

13272a. Do you think if we enacted a prohibitive law here, that we should proceed on the lines of the law of the State of Maine, or go beyond them?—I do not see how we could prohibit a man importing for his own private use what he might require. I do not know how far under our constitution we could interfere with private rights in a matter of that kind.

13273a. Do you think, if the importation or manufacture were confined simply to what is required for private use, by private individuals, that the manufacture should be taxed and that duty should be levied upon importations?—That is a financial question. We do levy duties on what we use for private purposes—our clothing, boots and shoes, sugar and tea; and I should think that the same rule would apply. If it comes in for any purpose at all, it is as fair to tax it as medicines or the necessaries of life. I would tax it. If a man wants that privilege, let him pay for it as he would pay for anything else he imports. A man might have to show, when he imported for his own private use, some special necessity for them.

13274a. That is not required in the State of Maine?—I am not familiar with the law there.

13275a. There is some cider made in the country by farmers who grow apples, and there is a considerable quantity of wine now made from native grapes; do you think that should be prohibited?—I do not know that we should prohibit a man making wine or cider for his own individual use. I think that in legislation of that kind we might proceed tentatively. That would be a very moderate use of alcohol. I would not allow a matter of that kind to stand in the way of the prohibition of the more dangerous elements.

13276a. That leads to this further question: suppose the farmer is allowed to make cider and wine for his own use, it seems rather hard that those who do not produce apples and grapes, workmen for instance, should not have the privilege of obtaining cider and wine. Would you make an exception in favour of a class simply, because they happen to be producers?—The law does many hard things. It makes a man send his children to school whether he will or not. *Pro bono publico* has to be considered.

13277a. If it were a benefit for the workingman to be prohibited, would it not be good for the farmer to be also prohibited?—I have had no evidence brought before me yet that the indulgence in cider by the farmer has done him or his family any harm, nor that the use of wine at home made by those who grow their own grapes was of any material injury to those who used them. We are confronted, on the other hand, with the fact that substantial injury is done to the workingman, and to many who are not workmen, by the use of the stronger liquors.

13278a. I am not speaking of the stronger liquors, I am speaking with reference to the use of wine and cider. If you permit the farmer to make wine and cider for his own use, they may not do him any harm; but the farmers who do that form a small portion of the community. There may be others who may wish to have wine and cider; in what way would they get it if you prevent the sale of it?—Of course, that is a question one would have to deal with in framing legislation of this kind, and you might have to refer to precedents to guide you. I am not concerned as a temperance man, however, with regard to any injury that may arise from the use of cider made at home, or even wine made on the farm. That is not where I have been directing my artillery.

13279a. It is on the line of the right of the individual with regard to getting a supply of liquor. You referred to the question of the loss of revenue which the municipalities, the provinces and the Dominion would sustain if we had a prohibitive law. What in your opinion would be the best way of replacing that—direct taxation, or taxation on some other commodities? It becomes an important question in some of the provinces; for instance, in the Province of Quebec, which derives a large revenue from licenses, and is not the wealthiest Province in the Dominion?—No, I have not formed any scheme for the solution of that problem. I do not know what we would have to do in the Province of Ontario; we have really not considered what we would have to do. I do not know what the Dominion Government would do either. You know what Sir Robert Peel said: it is not for a physician to prescribe until he is called in. I admit that it would be perplexing, and perplex us in the Province of Ontario.

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13280a. You have not formed any conclusion?—No; I have not found any way out of that.

13281a. Or as to what would be the character of the taxation and the class of people that it would be imposed upon?—That is a very large question.

13282a. Would you like to say anything with regard to that?—No; I would not. It would require a great deal of financial skill and study to say whether we would put it on this, that or the other article, in case we prohibited liquor.

*By Judge McDonald:*

13283a. The license law of Ontario has been amended from time to time by the Legislature of Ontario; I suppose you had a voice in some of the amendments?—I had, with some of the recent ones.

13284a. I suppose the attempt has been to keep up as far as possible with the necessities as they arose and in promotion of temperance?—That has been the desire in all our legislation.

13285a. Have you observed that within the last few years there has been an immense growth of temperance sentiment and temperance habit in the community?—I believe there has been.

13286a. You have spoken of observing it among the farmers. Do you not notice it in all grades of society?—Yes: I believe there is a better informed temperance feeling in the Province of Ontario than ever before.

13287a. Do you not believe that the efforts of the churches and the temperance societies, and the efforts which you yourself have made in reference to education on this subject, have had a great deal to do with producing this state of things?—Yes; I believe the pulpit and the law are both good educators.

13288a. Did you notice at all, whether, when the Scott Act was first passed in the counties, the temperance societies for a time rather relaxed their efforts?—They did do so, and I think they were very much at fault in so doing.

13289a. Speaking of the prohibitive system which you have mentioned that you have read of, I think you stated that it has always been in a limited area?—Yes.

13290a. Have you considered the question in this way at all: that the Ontario license law is of course prohibitory as to election days, Saturday night and Sunday, and as to sale to minors, but is distinctive from a total prohibitory law in this respect, that there is the opportunity to obtain liquor on other days, so that people can have it for their domestic use on the prohibited days if they wish?—Certainly; they can lay in a stock if necessary.

13291a. And I understand you to say that so far as you have formed an opinion up to the present time, you would not prevent people in the same way importing for their own private use in their houses, liquor for beverage purposes?—Well, that is one of the delicate points in dealing with this question on which I would not like to speak with very great confidence or assurance.

13292a. Take a law that went further than the Ontario law, that is, that not only closed the hotels on Saturday night, and Sunday and election days, but prevented people getting it at all into their houses, would you not expect greater difficulty in enforcing such a law than you do in enforcing the Ontario license law?—Oh, I think we would. A prohibitory law for the entire prohibition of liquor, and having a concerted and combined opposition against it, would be a great deal harder to enforce than the license law, which enables those who want liquor to get it occasionally.

13293a. If you have no objection in your official position to answer, I would like to ask whether you have as Minister of Education, received officially such information as would show that the results of the introduction of the subject of temperance into the schools has been beneficial?—No, I cannot speak definitely; only I assume—you might say it would be natural for me to assume—that the present state of temperance opinion is owing to that as to other causes.

13294a. I did not know but there might be reports from inspectors showing the results?—No, only this, that all our children from ten years of age are receiving instruction in temperance and hygiene, and our teachers, and inspectors, and trustees have accepted the compulsory regulations of the department with great unanimity. I

have received no protests, and it seems to be in line with what they consider the proper thing to do.

13295a. Speaking as a legislator and statesman, is legislation wise that is in advance of public sentiment?—You cannot make legislation on such a line effective that I know of.

13296a. On such a question as this ought a preponderance of public sentiment to be had?—I think it requires an intelligent, educated and substantial public opinion to make it effective.

13297a. You are a barrister?—I am.

13298a. Speaking as a barrister, what is the effect on the public conscience of a law on the Statute-book which is not effectively enforced?—Very bad, I think. I do not want any such law to be in existence with which I have anything to do as a public man.

13299a. Your idea, then, as I understand you, is this, that with a view of securing the benefits which you believe would arise from it, you favour the enactment of such a prohibitory law as you have described, considering, however, that to be a success it must be effectively enforced?—The very moment that it is believed by those responsible for it that it would be effective, it should be enacted.

13300a. Have you considered, or are you in a position to say, whether the state of public sentiment in Canada is such as to justify you in believing that such a law, if passed now for the whole of Canada, would be effectively enforced?—I am not in a position to speak positively. I think the outlook is very encouraging.

13301a. I suppose you have considered the question more with reference to this province than the Dominion as a whole?—Certainly, and we are taking the means to ascertain as far as we can by a plebiscite what is the public opinion.

13302a. In case of the enactment of such a law as would close up breweries and distilleries in the country, would you deem it right that they should be remunerated for plant and machinery rendered useless?—That is a pretty large question also. I have always taken ground against compensation. We find this difficulty in dealing with the liquor traffic when the question of compensation arises. The liquor traffic has been so destructive in many ways that if we could only get compensation for those who have been injured by it, then we would be prepared to give compensation to a reasonable extent to those whose property is set aside by the enactment of a prohibitory law. I have taken the ground that I have not yet seen any feasible scheme of compensation evolved. They must take their chances with every other business when that business is rendered unnecessary by the changes of the tariff or other changes in the law.

13303a. As a citizen, would you be willing, in order to secure such a law as you desire, to have direct taxation if no other means were discovered to supply the revenue?—I do not favour direct taxation necessarily. I believe some other way would be found.

13304a. But if not?—The Queen's government must go on. That is my only answer to the question.

*By Mr. Giguault :*

13305a. I think you said the Scott Act has done some good in some counties?—Yes, we thought so.

13306a. Do you think that, during the years there were such a large number of counties under the Scott Act, there was a diminution in the expenditure for the administration of justice?—I cannot answer the question without looking up the figures, except by repeating what I said before, namely, that in the County of Halton it was said the jail was almost empty, and there were fewer convictions. That would all mean a reduction in the expense of the administration of justice.

13307a. I think there were about twenty counties under the Scott Act. Do you think it had the effect of increasing the expense of the administration of justice during those years?—I could not answer; I have not examined the figures.

13308a. If you examined them, do you think you could find it out?—Perhaps I could. The cost of the administration of justice is paid partly by the Ontario Government and partly by the county councils. The amounts paid by us bear a certain ratio to the amounts paid by the county councils.

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13309a. Have you any reports from the municipalities with respect to those expenditures by the municipalities?—I think Mr. Totten, our auditor, who is in charge of those accounts, will be able to give you all those figures.

13310a. What do you think is the proportion of moderate drinkers in Ontario to the whole population?—I do not know.

13311a. Do you believe there is a majority of total abstainers or a majority of moderate drinkers?—What limitations would you put on that question?—Take the children under fifteen years of age; they are certainly almost all total abstainers.

13312a. I mean the adult population?—Taking the adult population of sixteen years and upwards, the women are almost wholly total abstainers. The males over sixteen years of age would be I think about half and half. We have very large temperance organizations, and there are a great many total abstainers who are not members of temperance organizations. I should think they would be in about that proportion.

13313a. Do you know any country in which there is such a general prohibitory law as the one you advocate?—No, I think Maine comes the nearest to it.

13314a. I think you said you advocate a law, only if it is carried out?—If I am convinced that there is a public opinion that will make it effective.

13315a. If the Maine law is like the one which you advocate, and if the facts prove that it is a failure—I do not say that they do, but if they do—do you think it would be wise for Canada to adopt such a law?—I would be very seriously disturbed in my convictions if the Maine law were shown to be a failure. I have concluded that it is not a failure because it receives the support of both political parties now, and you know from experience how the influence of public opinion affects the attitude of political parties towards public questions.

13316a. I understand that there are three political parties in Maine now—the Republicans, the Democrats, and the Prohibitionists, the new party that has been formed, because they claim that neither the Democrats nor the Republicans are enforcing the law?—But it is not such a failure as to lead either party to propose its repeal.

13317a. I do not say that it is a failure. I merely ask, if the Maine law is a failure, do you think it would be wise for the Dominion to enact such a law?—I would then state, because I think we have a people here who are perhaps, if anything, a grade higher morally than the people of the State of Maine, good as they are. I think we could perhaps maintain a prohibitory law here even though it were a failure in Maine. If the people here wanted it, and there was a good public opinion back of it, I think we might judge that for ourselves.

13318a. What do you say of the repeal of the Scott Act in almost all the counties of Ontario?—Yes, I am very sorry it was repealed.

13319a. Does it not indicate that there was a feeling not very favourable to a prohibitory law?—It indicates this, that unless a prohibitory law is effective the common sense of this country prefers a license law. The Scott Act when passed, it was thought, would be made effective. Had it been, or could it have been made effective, it would not have been repealed. The fact that it was not effective led to its repeal, I believe—mainly so.

13220a. You said you thought the inhabitants of Ontario would see to the enforcement of a prohibitory law?—I said if they would see to it I thought it would be effective, it did not matter whether there was a prohibitory law which was a failure in Maine or elsewhere.

13321a. As they have not seen to the enforcement of the Scott Act, are we not to infer that they would not see to the enforcement of a general prohibitory law?—Not by any means. It is more difficult to make a prohibitory law effective in a small area than in a larger area. A law that included the whole Dominion would be a law more satisfactory to temperance men and would lead to a greater struggle to make it effective. It ought to have better machinery provided to make it effective than was the case with the Scott Act. The enforcement of the Scott Act was left to the local government. A Dominion prohibitory law should have machinery provided by the Dominion to make it effective.

13322a. Do you think it would be more difficult to enforce such a law in cities than in rural districts?—I have no doubt it would be, because in rural districts the

general trend of public opinion is more in favour of temperance and the enforcement of the law would have more sympathy from those among whom it was enforced. In the cities and towns it would be more the other way, and there would be more opportunities for the sale of liquor.

13323a. If it were proved that in Portland, Bangor and other large cities, liquor was being sold openly, that in the hotel where this Commission stopped there was an open bar where liquor was sold continually, would you consider that the prohibitory law was well enforced?—I would not consider those violations, unless they were very general, sufficient to invalidate the prohibitory law.

*By the Chairman :*

13324a. The law of the State of Maine has been on the Statute-book for forty years, and has been amended fifty or sixty times?—I believe it is very stringent now. My argument would be this: one swallow does not make a summer, and several violations of the prohibitory law in Bangor would not invalidate the usefulness of the law to the inhabitants of Bangor. Several violations of the license act do not invalidate the usefulness of that law. Several murders do not invalidate the law against murder.

*By Mr. Gigault :*

13325a. If they were selling with the consent of the authorities, what would you say?—I would change the authorities.

13326a. If the electors did not attempt to vote out the authorities, what would you say?—If the law is perfectly useless, I would say, repeal it.

13327a. What would you say if in the capital of Maine, Augusta, while the Legislature was in session, the members would drink at open bars?—I would have new members.

13328a. Would that be an evidence that the law was efficiently enforced?—It does look bad, if that be the case. Of course, you are speaking of what I do not know.

13329a. If in the hotel at Portland where the Commissioners were lodging there was a bar where some of the Commissioners saw people drinking liquors, what would you say?—You are speaking of things which of course have a very serious aspect.

13330a. And if the arrests for drunkenness in Portland were more numerous than in the city of Toronto, what would you say?—These are all "ifs." I could not say.

13331a. And if the Chief Constable of Lewiston would come before us and say that about three hundred places were selling liquors there?—Well, I do not think that state of things could prevail under the way in which the laws are enforced in Canada. You are speaking of a condition of things that I think would be impossible here.

13332a. Were there not violations of the Scott Act in Ontario?—There were, but not to that extraordinary degree that your hypothetical cases in Maine indicate.

13333a. Did you say a few moments ago that the repeal of the Scott Act took place because it was not effective?—Yes, to the extent that people desired, and they said "rather than have this ineffective law continued, we will go back to a license law." But I never heard of the wholesale use of liquors under the Scott Act that I would infer from your reference to have been the case in those places: I do not think it was possible.

13334a. I speak of these things as evidences as to whether a prohibitory law would be efficiently enforced?—Those evidences would be very discouraging if I could think them possible under our constitution. It takes a good class of people to enforce a moral or sumptuary law.

*By Rev. Dr. McLeod :*

13335a. Would you regard the alleged failure of the law in Bangor and several other localities as demonstrating the failure of the law in the State at large?—I would not take it as conclusive on that point.

13336a. Might there not be set over against such an alleged case the fact that the people of Maine, after a generation of experience of the law, put it into their Constitution by a majority of 47,000 votes?—That was my argument, that the people even preferred perhaps occasional violations to the repeal of the law.

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13337a. Have you noticed also that in localities perhaps the strife of parties brings about a civic or municipal government that tolerates violations of law which the people really are opposed to?—Well, officers do take strange liberties with the law sometimes.

13338a. Do you regard the repeal of the Scott Act as a revulsion of feeling against the principle of prohibition?—I do not think so. I never so regarded it. It was a revulsion of feeling against a law that did not provide sufficient machinery for its enforcement, and a disappointment on the part of those who expected more from it than they could reasonably expect from its initiation.

13339a. Speaking of public sentiment, what is your view of the way in which public sentiment on this question will express itself in the country at large?—I think the public sentiment of Ontario is favourable to prohibition. That is my impression. I expect that there will be a majority in favour of the plebiscite.

13340a. You say a law is ineffective unless public sentiment is strongly in its favour. In what way will public sentiment express itself, taking the country at large? By a plebiscite of the whole country, or in some other way?—One way is by petitioning to Parliament; another way is by elections being run on the issue, which is the more common way under our system; and by the declaration of conferences, synods and gatherings of that official character. These are all indications of public opinion.

13341a. Sometimes the statement is put forward that public sentiment will never be shown to be ready for prohibition until a strong majority of members of Parliament are elected on that platform. Have you observed that in the contentions of the two struggling parties the prohibition question, although regarded as important by a large number of people, is side tracked?—Yes, and that was why I favoured a plebiscite, so that we would get a direct expression on the question, relieved from those distractions, and I think it will be a fairer expression of opinion than we can get in any other way.

13342a. Would you regard the expression of a plebiscite as a fair expression of the feelings of the people?—I have taken it as such.

13343a. One gentleman testified in Winnipeg that the people did it for fun?—It would be a very funny thing to do. I hope they will not do so in Ontario. We want an honest expression of opinion.

*By Mr. Gigault :*

13344a. Is there a license law in Manitoba still?—Oh, yes. The plebiscite did not result in anything.

13345a. You are teaching temperance in the schools?—Yes, we have authorized a book.

13346a. Do you think moral suasion does a good deal to promote temperance?—Yes; and I think the instruction on the subject will do a good deal to prevent young people indulging, in the first place.

13347a. If under the license law temperance is being promoted and is growing every year, would it be wise to disturb that state of things?—I think the goal is ultimately prohibition, and I think that every restriction we put on the liquor traffic helps to prepare the public mind for that. Instruction in the schools, all the moral suasion we can use, in the pulpit and on the platform, are all practical means for preparing the people for direct prohibition.

*By the Chairman :*

13348a. Did I understand you to say that the cause of the repeal of the Scott Act by-laws was the inefficient enforcement of the Act?—I think that was one cause.

13349a. What were the others?—A good many temperance men were disappointed that the law was violated at all. They almost assumed that it would be operative from the moment it was passed. Then, temperance men relaxed their efforts in maintaining the state of public opinion that had carried the Scott Act. I do not think the temperance men or those concerned in its enactment in the first place stood by it as well as they ought to have done. Then, there was difficulty in getting information owing to the discredit that would attach to informers. There was a difficulty in the

fact that jurisdiction for a time was questioned ; and the law itself—which I think was an unfortunate thing—did not provide the machinery in itself for its enforcement.

13350a. Is there not always a danger, in taking a special vote on such a question as prohibition, that the actual supporters of the measure will come forward and vote, while those opposed to it are indifferent, and that the result is that it is not really an expression of public opinion?—Yes. I think that was the case sometimes when the Scott Act was passed.

13351a. Speaking of Maine, have you sufficient knowledge of the state of things there to form a definite conclusion as to whether the people as a whole are very temperate or in the aggregate strong advocates of temperance?—No, I never was in Maine.

13352a. If it were the case that a very large majority of the people of Maine were strongly in favour of temperance—I might use a stronger term than temperance—would you not expect that the law would be enforced ; a law that has been on the Statute-book for forty years, and has been amended from time to time in accordance with the views of General Neal Dow and the other advocates of the system?—I would expect so. I would expect that public opinion, if public opinion was such as it ought to be, would see that it was enforced. They do seem to make amendments from year to year to improve the law.

13353a. In the city of Portland there is an official city agency for the legal sale of liquor for medicinal and mechanical purposes ; in the agency in the year 1892 \$84,000 worth of liquor was sold. Now, no one who appeared before us contended that such a quantity of liquor was required for the legal purposes, in the city of Portland, with a population of 37,000. Do you think that is evidence that the prohibitive enactment has not done its work satisfactorily?—There is some weakness somewhere.

13354a. They had a surplus on the year's operations which they were able to apply to public purposes of \$14,000 or \$15,000?—In a city of 37,000 population in Ontario would not the consumption of liquors be in excess of \$84,000?

13355a. I should think it would, but this amount by no means represents all the sales in Portland. The system on which sales take place at this agency is this. The agent keeps a register in which he is bound to enter all sales ; a person comes in and says perhaps that he wants a pint of whisky or brandy or whatever it may be, and that he wants it for medical purposes, and it is supplied. There is not the slightest doubt that the great majority of the people who come and buy liquor in that way do not want it for medicinal purposes. Do you think that is beneficial?—No, I think that is too lax. In Ontario, if a person wants liquor on Sunday, he can only get it by presenting the certificate of a doctor. If the certificate of a medical man were required, it would probably restrain the sale to a certain extent.

WILLIAM T. AIKINS, M.D., Toronto, on being duly sworn, deposed as follows :—

*By the Chairman :*

13356a. How long have you been practising your profession in Toronto?—Forty-four years.

13357a. Do you hold a degree in this country or in the States?—In this country and in the United States.

13358a. Do you devote yourself to any particular branch of the profession?—I am devoting myself more to surgery.

13359a. From your observation, do you think that the license law is fairly well enforced in Toronto?—Yes, I think it is.

13360a. Do you think there is as much intemperance now as there was ten or fifteen years ago?—No, I do not think there is, and in proportion to the population, not nearly as much as there was many years before that.

13361a. To what do you attribute the decrease in intemperance?—It is attributable to many causes. The public press has done a great deal ; the churches, the temperance

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societies and medical men have done a good deal. The teachers in the medical schools, a large number of them, are strongly temperate men.

13362a. Has not that always been the case with the members of the profession?—There is a sad record of the profession in the province. I think a few years ago I could have safely said that one half the deaths in the medical profession were due to intemperance.

*By Judge McDonald :*

13363a. Are you speaking of the Province of Ontario?—Yes, up to a few years ago.

*By the Chairman :*

13364a. You speak of the province, not of the city?—I speak of the province. But speaking of Toronto alone I think I could sit down and in a few moments I could give you the names of twenty or twenty-five medical men who have died from the effects of liquor.

13365a. Do you think they were more temperate in the city than in the country in years gone by?—No, they were intemperate in the city, and intemperate in the country too.

13366a. There have been reductions from time to time in the number of licensed places; do you think that has had any effect in promoting temperance?—Decidedly. There are a good many places yet that ought to be wiped out. There is no call for taverns in residential districts. I remember very well when the law came into force here closing the taverns from six or seven o'clock on Saturday night until Monday morning; everybody knew there were less arrests for drunkenness on the Sunday, and there were fewer cases before the Police Magistrate on the following Monday than there had been previous to the existence of that law.

13367a. You think that law has had something to do with the decrease of intemperance?—Certainly.

13368a. Have you had any experience at any time in a community where the Scott Act was in force?—No personal experience.

13369a. You have not lived in any of the counties where the Act was in force?—No.

13370a. Have you given any special attention to the operation of the Act?—No, I have not, further than what any one would give in reading the papers.

13371a. Have you a preference for prohibition over the license system?—Yes.

13372a. Have you any objection to state your reason for that preference?—Well, I hold that alcohol is something like morphine, chloral and cocaine. It is very easy to contract the habit of taking them and to acquire a thirst for them, which grows until a man comes to a point where he loses his will power, and has to be put under restraint, if he is to be saved at all. Prevention is better than cure.

13373a. Then you think a prohibitive system would prevent and would lessen the danger arising from the liquor traffic as conducted under a license system?—I have no question that if the prohibitive system was enforced as well as the license system is enforced, it would be of immense benefit.

13374a. You say you had no experience of the working of the Scott Act; have you had any experience of the operation of a prohibitive law anywhere else?—No.

13375a. Do you think that public opinion in the Dominion is ripe for a prohibitive measure?—I can hardly say the Dominion; I can speak more for Ontario. I think there is a large majority in Ontario in favour of it. My reasons for thinking so are these: Take the Methodists as a body, of whom there is not one belonging to that denomination as a member who is a tavern-keeper in Ontario. The Methodists as a body would support prohibition. I think the same might be said almost universally of the Baptists, of the Congregationalists, and of the Presbyterians, especially those brought up and educated in this country. There are a large number of prohibitionists in the Church of England also, and many, too, in the Roman Catholic Church. Now, the Methodists alone constitute a little over 30 per cent of the population of Ontario.

13376a. Would you consider a prohibitive system, indifferently enforced, better than the present license system?—It depends upon the amount of indifference. Of course, if it were very badly enforced it would be of next to no use.



13377a. Have you formed any conclusion as to the causes which led to the repeal of the by-laws putting in force the Scott Act?—Yes, I have formed some conclusion. Any one can see in a moment that if the Scott Act obtained on the west side of Yonge Street, it would be utterly useless as long as liquor was sold on the east side. When the Scott Act was in force in Halton, there was Brampton, Streetsville, and other places in the vicinity where they could get all the whisky they wanted. That fact would, to a large extent, make the Act a failure.

13378a. Would not the condition apply to Canada as regards the United States frontier?—Well, it would to some extent.

13379a. Liquors would be smuggled into the country under a prohibitive system?—Yes, they are smuggled in now under a license system, in Lower Canada.

13380a. Do you think it is as extensive now as it would be under a prohibitive system?—I do not know.

13381a. What measure of prohibition do you advocate?—I advocate entire prohibition except for medicinal purposes. I would treat alcohol as a drug. Speaking from my own observation, I would not consent that the young people of this country should test themselves as to whether they could be temperate or not, by taking liquor moderately. Our young people are here living in a clear and stimulating atmosphere. They are crammed at school so as to develop the nervous system and make them sensitive, while their muscular system is largely neglected; and when they grow up a very little thing sets them off, and they commence to take stimulants.

13382a. Have you formed any conclusion as to the percentage of the population who are intemperate?—I do not think there is a very large proportion of them. In the farming community you will occasionally find a person who is intemperate, but the large majority are temperate; I do not say they are teetotallers.

13383a. I ask you what proportion of them do you think are intemperate?—I do not know what proportion.

13384a. Have you formed any idea of what it is?—I have not.

13385a. Have you made any estimate in your own mind of the proportion of the population who are intemperate?—I have heard some one saying here that they thought three-fourths of the people in Toronto were moderate drinkers. I do not believe that at all. Our churches in Toronto of all denominations are well patronized, are often crowded; and I do not think looking at the numbers who go to church, leaving out the children altogether, that there is anything like three-fourths, or even one-half of the people in Toronto who are moderate drinkers.

13386a. Would you take one-half as being total abstainers?—I do not know how many are total abstainers. If we look at the numbers who go to church—some churches are well filled every Sabbath—I do not think there is one-half, or anything like a half of the population of Toronto who are moderate drinkers.

13387a. Then I will put the question to you again: Do you think there are one-half who are total abstainers?—I do not know, it would be difficult to ascertain that. It cannot be ascertained even by temperance societies. For instance, I am a total abstainer, but I do not belong to any temperance organization.

13388a. Do you think that three-fourths are not even moderate drinkers?—No. Three-fourths are not moderate drinkers.

13389a. What are they? How would you classify them?—A man who takes a glass of ale or a glass of beer when he comes to market, for instance, to sell his produce, and does not take another glass until he comes back again, I would not class him as a moderate drinker.

13390a. But he drinks; under what category would you put him?—So do I drink. If I had an attack of dysentery and I thought a glass of brandy would do me good, I would take it, yet I am not a drinker.

12391a. A moderate drinker surely is one who takes a drink in any form for beverage purposes; and the immoderate drinker is one who takes it to excess?—Yes.

13392a. The moderate drinker must be a man who takes it as a beverage if he takes it all?—Then we are all moderate drinkers because we will all take it in case of sickness.

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13393a. I am speaking of it as a beverage ; I draw a distinction ?—Well, I would not call a man who came to market once a week, or once a month, and took a glass of liquor, I would not call him a moderate drinker.

13394a. Would you classify him as a total abstainer ?—No, I would put him in a moderate class, between the moderate drinker and the total abstainer.

13395a. I wanted to get your classification, because I was anxious to know if you had formed any opinion as to the part of the community who are immoderate drinkers or intemperate in the matter of the use of intoxicants ?—I have formed no such estimate, no statistical estimate.

13396a. But you think that to class three-fourths of the community as moderate drinkers is to put the estimate at too high a figure ?—That depends upon what is our idea about a moderate drinker: I think a man who takes his wine at dinner every day, who never is under the influence of liquor, is a moderate drinker. But those people I speak of do not do that.

13397a. To what class do you refer ?—Farmers, for instance, that I mentioned a moment ago, who come to market with their grain, and take a glass of beer, and who may not take it again until they come back to market. I could not call them moderate drinkers.

13398a. But they are not total abstainers ?—No, they are not abstainers.

13399a. Would you put them in a class by themselves ?—Yes.

13400a. Then take the total abstainers, what proportion will they be ?—I do not know. I have given you my reason for thinking that three-fourths of the people of Toronto are not moderate drinkers, from looking at the number of people who go to church Sabbath after Sabbath. I do not know what proportion, but a very large proportion of them are practical abstainers, although they may not belong to temperance societies.

13401a. You must add to them the class you speak of, that take a glass when they come to market ?—Yes.

13402a. It is impossible to be accurate, but as you have thought of the question a good deal, you may have fixed on some proportion as representing those who are really immoderate drinkers who are intemperate ?—No, I have not.

13403a. Would you put it at 10 per cent of the community ?—That are what ?

13404a. Intemperate ?—Taking liquor to excess.

13405a. Yes ?—Ten per cent of the whole community including children—no, there are not.

13406a. Would there be five per cent ?—I do not know, I could not answer that question. It is guess work, because you exclude children and women ; you exclude an immense number.

13407a. I understood you to be quite positive about three-fourths of the community not being moderate drinkers ?—Well, I think that is correct.

13408a. Take the class whom you consider moderate drinkers, and the class that you think only take a glass when they come to market, do you think they form three-fourths of the community ?—I do not quite understand you.

13409a. Take the class that you would put down as moderate drinkers, add to them the class you have referred to who only take a glass when they come to market, and whom you do not consider moderate drinkers ; add to these two classes the abstainers would these three classes form three-fourths of the community ?—I think very likely.

13410a. Have you come to the conclusion that a prohibitory law, such as you refer to, would be effectively enforced in the present state of public opinion in Canada ?—No further than this, that I think it is easy to enforce a law of that kind in Ontario. The population is largely made up of people from the British Isles, or their descendants. They are a very easily governed community, and they will submit almost to any law that is reasonable.

13411a. Would the enforcement of it depend upon whether the majority of the community considered it a reasonable law or not ?—Yes, I suppose it would.

13412a. How would it be in the Province of Quebec ?—I cannot tell. I understand in some parts of the Province of Quebec that the clergy see to it, that there are no taverns, and that the people are remarkably sober in some parts of Quebec.

13413a. But you do not know what the feeling of the community is in the Province of Quebec on the matter of prohibition?—I do not.

13414a. Nor in British Columbia?—Well, there are not many people in British Columbia, most of them live in cities, and there is more drinking in cities than in rural parts. I suppose in proportion to the population there would be more drinking in British Columbia than elsewhere.

13415a. Do you think a law for the whole Dominion, which was not in accordance with the sentiments of the people of Quebec, would be likely to be efficiently enforced?—I cannot speak for Quebec at all.

13416a. But I am putting a case: Supposing the people of the Province of Quebec were not largely in favour of the law?—Then it could not be well enforced in Quebec.

13417a. Would that affect its enforcement throughout the country as a Dominion law?—I suppose it would, if a large province like Quebec would not sustain the law.

*By Judge McDonald:*

13418a. In making your calculation as to the number of moderate drinkers in this city, you said something about people who go to church?—Yes.

13419a. What reference has church going to moderate drinking?—A man who takes much liquor, I do not think patronizes the church very much.

13420a. Do you think no moderate drinkers go to church?—Certainly not.

13421a. Do you think many of them go?—I do not know but that there may be a good number.

13422a. Can going to church be considered a criterion as to whether a man is a total abstainer?—I think as a rule, where the churches of all denominations are well attended on the Sabbath, we can argue as to what kind of lives these people are living at home.

13423a. I quite agree with you, but the question is, how far you carry that in your application to their partaking in moderation of intoxicating beverages?—You know that would be very difficult to get at.

13424a. Have you lived a great many years in this city?—Yes.

13425a. Do you think that the larger proportion of the total abstainers go to church?—I am inclined to think a very large proportion do.

13426a. Do you think the largest proportion do?—I could not tell, it is mere guess work.

13427a. I am not making any reflection upon anybody, but I will ask you this question, whether you have not noticed that many men who are not church goers, from the fact of being free thinkers, are nevertheless mostly total abstainers?—I do not think we have a very large population of free thinkers here.

13428a. I am asking you whether it is not a fact that of that class a very large proportion are abstainers?—I do not know sufficiently about them.

13429a. You have not looked into that?—No, I do not know how I could look into it.

13430a. Then a man who takes a glass of wine at his dinner every day you think you may call a moderate drinker, if he does not go beyond that?—I think he is a moderate drinker.

13431a. But you think the farmer who comes to market once a week, perhaps not so often, and on that occasion takes a glass of ale, you could not call a moderate drinker?—I think not.

13432a. You cannot call him a total abstainer?—No.

13433a. You cannot classify him at all then, under the ordinary head?—I do not know what the ordinary heads are.

13434a. Total abstainers, moderate drinkers and immoderate drinkers. Those are artificial; we could easily make another class. Can you tell us what you would call these farmers?—It does not make any difference what you call them, they are not total abstainers.

13435a. Are there many of them?—I do not think that there are a great number, and I will tell you my reason. Take the denominations, and there are very few Metho-

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dist, and they constitute over 30 per cent of the population, who are in the habit of taking their glass of ale or beer when they come to market.

13436a. Do the rules of the Methodist church require that the members shall be total abstainers?—I do not know about that.

13437a. We have it in evidence from the Rev. Dr. Williams and others that the rules of the church require that a member shall be a total abstainer?—I do not think they do require that.

13438a. Dr. Potts told us so yesterday, though, he says, they are not required to live up to it?—Exactly.

13439a. I was asking you as to the rule?—I do not know whether it is the rule or not; but I do know that no such rules would be regarded by the members if they wanted to take a glass for beverage purposes.

13440a. Then take these farmers you speak of, whom you cannot class as moderate drinkers because they take it so seldom; have you known any of them to go to excess?—I think it is a dangerous thing to take it in moderation. I know what my will power is now, but I do not know what it may be two years from this time, and no man knows. No man can speak of himself and say what he will be capable of doing when he fails in general health; because when his nervous system begins to go down, if he has been in the habit of drinking moderately, he often gets into the immoderate habit.

13441a. The question is whether you have known any of those farmers of whom you have spoken, to become immoderate drinkers?—I think I have known people in this city to become immoderate drinkers.

13442a. Of these farmers who take a glass of ale when they come to market once a week or once a month, have you known any of these men to drink to excess?—I do not, because I have kept no record of that kind.

13443a. Have you known men as moderate drinkers who have remained moderate drinkers to the end of their days?—Yes, I think I have.

13444a. I suppose you have known moderate drinkers who became immoderate?—Many of them.

13445a. Do you favour a prohibitory law?—I do.

13446a. Would you favour a law that would prevent a farmer from making cider for his own use?—That means, if I understand you, that if he makes anything that contains alcohol, his children are apt to drink it, and they get a taste for alcohol, the same as they get a taste for chloral, or cocaine, or anything of that kind; and I would restrain the production of anything the use of which would give your children a taste for alcoholic liquors.

13447a. Then the prohibitory law you speak of would be one preventing the farmer from making cider out of his own apples?—Preventing him from making anything to give to his children, which contains alcohol.

13448a. Would you prevent him from making cider which has become fermented?—Yes.

13449a. Would you prevent a farmer from making wine from his own grapes?—Yes.

13450a. Would you prevent a private citizen from importing liquor into the country for his own use?—I would.

13451a. Do you know any country in the world where such a law exists?—Ah, but it does not follow that we should not adopt it. We are in a progressive age.

13452a. Please answer my question: Do you know of such a country?—I want my answer to be understood. I do not want to come here and give evidence of which certain features are to be picked away and I am not to be allowed to say anything beyond that.

13453a. Quite true, every opportunity will be given to you to make a statement. But kindly give an answer to my question. Do you know any country where such a law exists?—No.

13454a. Then it would be an experiment to enact such a law in Canada?—Yes.

13455a. In case of the enactment of such a law as you wish for, would you deem it right that brewers and distillers should be remunerated for the loss of their plant and machinery rendered useless?—No. Do you want any reasons.

13456a. Certainly?—My reasons would be these: In the first place, they have made large sums of money. I suppose there are liquor manufacturers in this city who would buy up all the medical men in the city, and have a nice little pile to spare; so they would not be badly served if they were not paid for their plant. I think it would be a most grievous thing, if there were a hundred families in this city where the parents had been ruined by the production of these establishments, and the children who suffered all the way along, were to be taxed to pay these men for the plant which had ruined their fathers. It would be adding insult to injury.

13457a. In case of the enactment of such a law, would you favour the exception of liquor needed for medicinal, sacramental and mechanical purposes?—I would not have much to say about sacramental purposes, but for medicinal and mechanical purposes I would make an exception.

13458a. But you would not favour an exception in favour of liquor for sacramental purposes?—I would leave that to the opinion of the particular communions. I think it is a matter of very small importance.

13459a. How would you provide for the manufacture or importation, as the case might be, of such liquors?—Would you place it in the hands of the government or leave it to private enterprise?—I would rather it should be in the hands of the government.

13460a. In case of the enactment of such a law, have you considered how the revenue requirements would be met?—I do not think there would be any difficulty. I am in favour myself of direct taxation, I think it is the most honest way, and is the fairest for the poor man.

13461a. Now, is there any statement you would like to make yourself in reference to the whole question?—I think it is a most dangerous doctrine that we can use liquor in moderation, especially for nervous persons, more particularly women. Our people are becoming more and more nervous. I think it is a most dangerous thing to prescribe liquor for women, every medical man knows that. We can get on very well without liquor in most diseases. Even in typhoid fever, in a large majority of cases the best medical men give nothing, if there is no special necessity for dieting.

13462a. I think milk is largely used in typhoid fever?—Very largely. The moderate drinker does himself an immense harm. If he gets cold and has an attack of inflammation of the lungs, he is almost sure to go. If he gets erysipelas, it is far more violent with him than in a person who is a total abstainer. I have passed through two cholera epidemics in this city, in 1849, and 1854, and I know if cholera catches a man who has used liquor immoderately, he runs a sad chance of going under.

*By the Chairman:*

13463a. Do you say immoderately?—If he uses liquor immoderately—Yes, even moderately. There is another reason why I am opposed to prescribing alcohol. I have been practicing over forty years, I have been behind the curtains in a great many families, and I have seen mischief brought into those families. Alcohol has a stimulating effect upon the genital organs, and men when they get a little tight, will often go to a house of ill-fame, and contract venereal diseases, and even give their wives the disease. I have seen that over and over again, men contaminating and sometimes breaking down the constitution of their wives. They would not have done it but for the influence of liquor upon them.

*By Rev. Dr. McLeod:*

13464a. Is there greater carefulness among the profession now in prescribing alcohol than there was in earlier years?—Yes.

13465a. And from what you say just now, you altogether differ from those gentlemen who think that alcohol is not only not harmful, but essential to the best health?—I think that is all nonsense. It would be a piece of impertinence for me to make any suggestion to you, Mr. Commissioner, but I think if you had a father before you whose youngest son, twenty-five years of age, was going to the devil through liquor, you would

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probably get an honest opinion from him in favour of supporting a prohibitive system, or any other system that would tend to reduce this evil.

13466a. In your view, you would treat alcohol just as you would any other drug?—Certainly.

13467a. Did you get a circular from the Commission some time ago, asking the medical profession a series of questions?—I am not sure.

13468a. As to the matter of heredity; other things being equal, are the children of habitual drinkers more likely than the children of abstainers to be liable to brain and nerve troubles, or any physical weakness?—There is another thing to be remembered in speaking of heredity. Sometimes a man's children do not look like himself at all, but they look like their grandfather. There is a principle we call atavism by which a quality will sometimes dip under one generation and appear in the succeeding generation. Although I should be very suspicious, if parents were drinking people, that the children would suffer the consequences; still, that does not always follow, because this feature of atavism comes in sometimes to relieve them.

13469a. What effect do you think general total abstinence by enforced prohibition, would have upon the physical health and the mental health of the community at large?—It would wonderfully improve it. Improve the social comfort of the individual, and lengthen life.

13470a. Have you given much attention to insanity?—I have given some. I was temporary assistant in the lunatic asylum here, and I have had charge of the Central Prison since it was established.

13471a. What are your duties in that position?—As physician and surgeon for the Central Prison, I am called upon to visit the prisoners almost every day.

13472a. What is the result of your observation among the prisoners, as it relates to the subject of this inquiry, that is, the effect of strong drink upon these men?—We have not a sufficient number. There are no women, most of them are young men, and we do not see the results there as we do in private practice.

13473a. Are young men there for short terms?—They do not extend beyond two years. If they go beyond that, they go to Kingston.

13474a. Do you find that most of these men have the drink habit?—I could not answer that. I ought to know, but I never made an estimate of it. A large number of them come there with the drink habit, and they come back over and over again with the drink habit. Some of them have been in twelve times, and have spent nearly twenty years in that institution.

13475a. Are you led to believe that the drink traffic and habit has a good deal to do with their imprisonment?—Certainly. There are certain prisoners that are pretty temperate. The burglar, for instance, it would not do for him to be under the influence of liquor, it would interfere with business.

13476a. Have you observed as a practitioner, whether, in the case of serious sickness or accident, a total abstainer has a better chance of recovery than a moderate drinker?—Certainly. Every medical man of any experience knows that.

13477a. We have medical men before us who say it does not make any difference at all, unless the man is a very excessive drinker?—If a man is a pretty hard drinker, and breaks his leg, he is very likely to get delirium tremens, certainly so, if he gets any inflammatory affection.

13478a. Have you been in hospital practice?—I have been twenty-five years in the Toronto Hospital.

13479a. Of cases coming into the hospital for cure, do you find any percentage traceable to drink?—I do not know about these percentages, we have not divided them in that way.

13480a. What would you say generally?—If you look at our poor-houses, our Magdalen asylums, our orphan asylums, and all those institutions, a very large number of the inmates come there directly or indirectly through liquor.

13481a. Of course your contact with families as a physician is very intimate, and you know a good deal of their interior life?—Yes, and I know that there are hundreds of suffering families in the city who are trying to screen a child or screen a relative, and they are going down with sorrow to the grave. There is hardly a large family that goes

through life but some relative or member of it has suffered some time or another through the drink traffic.

13482a. Then your belief, resulting from your observation is that all the evil effects of the traffic are not open to the public, but that there is a constant attempt on the part of many to screen the actual state of things?—I know it. Yes; it is a bad thing for the men who are engaged in it. I can remember when the city was small, the number of men who kept taverns, for instance, and who came to a bad end. I remember that one cut his throat, another cut his throat, another cut his arm and bled to death, and several died in delirium tremens. It is a bad thing for the men engaged in the traffic.

*By the Chairman :*

13483a. Were these excessive drinkers?—I presume so. But moderate drinking is the nursery from which excessive drinking comes. That I know.

*By Rev. Dr. McLeod :*

13484a. Have you any relations with insurance companies?—Yes; I examine occasionally for an insurance company.

13485a. Are insurance companies increasingly careful about taking risks on drinking men?—They have always been careful, as long as I remember.

13486a. Do they discriminate carefully between excessive use and the moderate use?—I do not think insurance companies like even the moderate drinker.

13487a. That, of course, is from a money point of view, it is business?—It is business.

13488a. Speaking about insanity, it seems difficult to get at the bottom facts. Have you formed any conclusion as to the percentage of cases in which intemperance is a predisposing cause?—I think it would predispose to intemperance as much in the descendants as in the individuals themselves.

*By Mr. Gigault :*

13489a. Do you believe that the act of taking a glass of wine or a glass of beer, is a sin?—The act of taking a glass of wine is like taking a dose of quinine or morphia, or anything of that kind. I do not think there is any sin in that.

13490a. Do you think the farmer who comes to market and who takes a glass of beer, commits a sin?—Well, I will not judge him, but I can tell you that our Supreme Master says that we had better avoid every appearance of evil; and I think that the farmer, knowing how easily the taste for alcohol may be cultivated in some people, is not pursuing a judicious course when he does not avoid the very appearance of evil.

13491a. Can this farmer who takes a glass of beer when he comes to market be a member of the Methodist church?—I think so.

13492a. So, the rules of the Methodist church do not prevent a farmer from taking a glass of beer?—I belong to the Methodist church, but I do not know what the rules are.

13493a. Did you say that sometimes you take a glass of brandy?—No; but I say I would if I had the dysentery, or if I was very ill. Otherwise I would not.

13494a. You are a total abstainer?—Well, I am a total abstainer, in that sense.

13495a. You use it only for medical purposes?—I have not taken a glass of ale, or beer, or whisky for I do not know how many years. I am a total abstainer.

*By Judge McDonald :*

13496a. When Mr. Gigault asked you if you thought it was a sin to take a glass of wine, I think you said it was like taking a dose of quinine, and that it was not a sin. Do you think a man who takes a glass of wine at his dinner every day as a beverage, is committing a sin?—I won't be responsible for any man's conscience.

13497a. Do you think it would be a sin for you to do that?—I think I would be wrong. I would not set that example before my children or any other body's children.

13498a. You leave other people to decide for themselves?—Certainly, there is a great liberty, I think, because the Divine law does not come down to our cast iron rules.

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*By Mr. Gigault :*

13499a. Did you say that a man could take a glass of beer when he came to market, and be a member of the Methodist church?—I think there are very few Methodists who take a glass of beer when they come to market.

13500a. But you think there are some?—I do not know, I think there are very few.

13501a. But during your practice have you not met any Methodist who takes liquor moderately?—Yes, I have, and Methodists who take too much, and were put out of their church membership on account of taking too much, and who died drunkards.

*By Rev. Dr. McLeod :*

13502a. The Methodist church is quite pronounced against the whole business, is it not?—Certainly. I think I am absolutely correct in saying that there is not a member of the Methodist church in the Province of Ontario who is a tavern-keeper.

13503a. A tavern-keeper would not be admitted to membership in that church?—No.

*By Judge McDonald :*

13504a. We understand it to be the case that a brewer or distiller would not be admitted to membership?—I do not know. If it is right for me to go and buy a bottle of whisky or brandy for medicinal purposes, it is right for some one to sell it, and right for some one to make it—so that I do not know. We must be a little liberal.

13505a. But it is a fact that these men are not admitted to membership?—I do not know.

*By Rev. Dr. McLeod :*

13506a. I suppose the view is that the distiller is not making it for medicinal purposes but for beverage purposes?—He is making it for any purpose. He wants to sell it, that is all.

*By Judge McDonald :*

13507a. You have in this city men who have what are called shop licenses, to sell by the bottle for domestic purposes?—Yes.

13508a. Do the rules of the church extend to those people?—I do not know.

13509a. We have understood that the rules are so sweeping as to exclude men who are engaged in either the manufacture or the sale?—I think they would be looked upon very suspiciously by the membership. I have heard the question asked witnesses while I sat here this morning, whether they would obliterate the saloon? I think a saloon license is a grave injustice to the tavern-keepers. The man who has gone to great expense in erecting buildings and providing accommodation for travellers, as long as the sale of liquor is to continue, ought to have the profits, and the saloons ought to be abolished altogether.

*By the Chairman :*

13510a. Can you define to us exactly the difference between a member and a communicant in the Methodist church?—They are the same.

13511a. Then all the members are communicants?—All the members ought to be communicants. Of course there is an invitation on communion occasions to visiting members of any other churches, who are in good standing, to commune with us if they wish to do so.

13512a. But I am speaking of the membership of that church. Are all the members of the church in the city of Toronto communicants?—They are expected to be communicants, I always understood they were.

13513a. Then is there no practical distinction between a member and a communicant?—No, every member knows that he has a right to come forward on communion occasions.

13514a. All communicants are members, but are all members communicants?—I think so, I think all members are communicants and all communicants are members.



13515a. I think you said that you did not know of any large family in which some particular member had not suffered from the use of intoxicating drinks?—I think that is very likely correct. I think there is no large family which goes down to the grave without being hurt in some way, by some relative, son-in-law or brother-in-law, or father, or uncle, or other relative, having become the victim of intemperance.

13516a. Is that your own experience?—It is my own observation.

13517a. That you know of no large family who has not had trouble arising out of intemperance on the part of some member of it?—There are plenty of large families that I do not know anything about.

13518a. I am speaking of your own experience. You cannot be expected to speak of families you know nothing about?—That is my observation. There is another thing I would like to say here, because there has been some allusion to it in the papers. I think we sadly need an institution between the prison and the asylum.

13519a. An inebriate asylum?—I would not like to call it that, but it would be a place in which people would be obliged to work and keep quiet for a length of time.

13520a. Would you give the magistrate power to send offenders to that institution?—Yes.

13521a. Where they would have to work and be treated?—Yes. It is not so much treatment that they want. Very little treatment is needed, it seems to me. It is a matter of feeding, and of diet, and of sanitation. Very little medicine should be given to that class of people.

13522a. Don't you believe in the theories which are being put forward of curing drunkards by treatment?—I think there are several institutions throughout the country where they are treated and said to be cured. In Montreal there is a Father Murphy has a place. We have a lot of them. They are money making establishments, I have no confidence in them.

13523a. You do not believe in them?—No. In most of these places they take a man and feed him well, and the moment he begins to increase in flesh his craving for liquor begins to diminish. Put 15 or 20 pounds of flesh on him and he is not so disposed to take liquor. He has plenty of companions, he goes on well for a little time, and perhaps may remain sober. But they can do the same thing without going to these institutions, and the poor Salvation Army is doing the same thing.

13524a. Then you think the chief benefit of such an institution to which offenders could be sent, would be making them work?—And not letting them have liquor.

13525a. They don't get liquor in the jails now, do they?—You cannot very well take them and bundle them off to jail.

13526a. They do it every day?—But you, or Police Magistrate Denison, would hardly take a respectable man who is found drunk and send him off to jail.

13527a. But respectable men would not probably require to go to such an institution as that referred to. The great object is of course to cure the confirmed drunkards?—There is a large number of men who will never be cured by any institution. We had a very intelligent man in the Central Prison a little time ago. He was kept for a year and eleven months, and he went out perfectly sincere in his determination to reform.

13528a. I understood you to advocate the establishment of such institutions, saying they would be an improvement. On what ground do you think they would be an improvement?—I do not want to send a man to an insane asylum for instance, who is only under the influence of liquor for a length of time, because it brands him, it hurts him afterwards in his business, and hurts his family.

13529a. But he would have to be committed by some authority, and the record of his committal would necessarily remain in the records of the court?—Certainly.

13530a. What is the particular advantage you think would arise from that system?—Well, we keep him sober for a length of time; he would have an opportunity of reflecting. But I think there are very few drunkards who become sober unless they make it a matter between themselves and their God. That is my observation.

13531a. Do you think those who are committed to prisons and common jails at the present time, get liquor?—No, I do not.

13532a. Have they not time for reflection?—Yes, they have.

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13533a. You spoke of insurance companies. Is it within your knowledge that insurance companies are more particular now than they were years ago?—So far as I know, they have always been particular about the drink habit. In the Confederation Life there is a note put under the question regarding this habit, that intemperance is one of the greatest sources of loss to the company.

13534a. Do you remember the tenor of the interrogatories put to the applicant in the forms of the company with which you have been connected?—I do not.

13535a. Is it this: Do you drink liquor at all, or are you intemperate?—I do not know the form of the question.

13536a. Is it usual to leave the medical men to decide?—There is a good deal left to the medical man.

*By Judge McDonald:*

13537a. Have you paid any attention to those inebriate asylums or institutions in which they profess to cure intemperance?—No, I have no confidence whatever in them. They are grabbing establishments. The gold cure is all rubbish.

13538a. You spoke of an institution where a man, by getting good food and quiet, would have so many pounds of flesh added to him, and would gradually lose the appetite for liquor. I wanted to know if you referred to the gold cure, when you spoke of such an institution?—No, but I said that whatever good results came from the gold cure treatment, came in that way, that these men have nothing to do, they are in good society, have plenty of reading and plenty of good food, and they pick up flesh, and I think they are greatly benefited. Even the liquid which is injected into their arms produces an indirect benefit in this way, that it disturbs the vision and they have to keep within doors.

13539a. But as a medical man, you have no confidence in the gold cure?—None whatever. A minister and a gentleman of prominence wanted me to go in with them and establish one here, in which I was to take charge of the medical department. I would not degrade myself by doing so, because it is all humbug. It is merely a money-grabbing affair.

The Commission adjourned.

TORONTO, October 30th, 1893.

The Commission met at ten o'clock a.m.

*Present*—Sir JOSEPH HICKSON, chairman, presiding.

JUDGE McDONALD.

REV. DR. McLEOD.

MR. G. A. GIGAULT.

HART A. MASSEY, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

13539½a. You are a resident of Toronto?—Yes.

13540a. A manufacturer?—Yes, President of the Massey-Harris Company, manufacturers of agricultural implements.

13541a. How long have you resided in Toronto?—About eleven years.

13542a. Have you been during the whole of that time engaged in manufacturing?

—A. Yes, and have been for almost forty-five years.

13543a. Were you before you came to Toronto?—Yes, at Newcastle, Ont.

13544a. How many men are employed at the present time by the Massey-Harris Company?—I do not know the exact number; in round numbers from twelve to fifteen hundred.

13545a. How many did you employ in Newcastle, in round numbers?—From one to two hundred.

13546a. In Newcastle, were the men you employed of different nationalities?—Yes.

13547a. Was there a foundry in connection with the works—moulding shops and so on?—Yes.

13548a. What were the habits of the men you employed there as to sobriety?—Most of the men we had were sober men; a number of them did not use liquor in any form. There were some of our best mechanics who were what were termed then moderate drinkers, and some of them drank to an excess which gave us some difficulty in keeping them in such a way that they would be competent to do their work properly.

13549a. You say you employed moulders; what is the fact in regard to moulders being given to taking intoxicating drinks?—I am sorry to say that I think that class is more addicted to drinking than almost any other class of mechanics we employ.

13550a. Do you think the exposure to great heat has anything to do with that?—I do. I think that has a great deal to do with it.

13551a. Had you men in your employ at that time whose work depended upon the work of their fellow labourers, that is, where if one man was away another had to be idle?—Yes. We have a number of such men now.

13552a. Have you suffered any injury in losing the services of men temporarily because some other employee was away drinking?—Yes, we have had a good deal of trouble in that way.

13553a. I suppose you are hardly brought into contact with your men individually at Toronto as you were at Newcastle?—Not quite so much.

13554a. I suppose you have different departments of your business here?—Yes. We had different departments at Newcastle, but not to the same extent as we have here. We have a large line of work that requires more departments.

13555a. Speaking from your experience as a manufacturer, have you noticed whether the men employed in such works as yours have been improving in their tem-

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perance habits during the last few years—whether they have become more temperate?—They have—a good deal more. In Newcastle they were more exposed to temptation from the number of hotels which were located there, and which they passed in going to their meals and back again to their work. That I think induced them to use liquor more freely.

13556a. Speaking from your experience, then, do you believe a reduction in the number of licensed places is favourable to temperance?—I do, decidedly so. It lessens the temptation.

13557a. Speaking from your experience in Toronto, have you observed how the license law is carried on in this city?—So far as I am able to judge, there is a very great improvement in Toronto as compared with the time when I came here.

13558a. We are told that in Toronto there is not the number of licensed places that the law would allow—that, in fact, there is a comparatively small number for a city of its size. Do you think that is beneficial for the city?—I do. I think it would be far better if there were fewer still.

13559a. Apart altogether from the question of a prohibitory law, you think that even under a license law it would be better to have fewer places in Toronto?—I do.

13560a. What is your experience of the influence of the saloon?—I think it is worse than the tavern upon the community, especially upon the younger people.

13561a. As a manufacturer, would you desire to have places where liquor is sold as far away as possible from your works?—I would. We have suffered very greatly from having hotels near our works. At the present time there is only one, whereas there were some four or five a few years ago, and the reduction has lessened the temptation to our men, and lessened, in proportion too, our trouble with some of our best mechanics who were addicted to drink.

13562a. Have you had experience of a prohibitory law in Canada or any other country?—Only from observation.

13563a. Where was the observation?—At Newcastle. Although it was not in force when I lived there, I have had occasion to be there when the prohibitory law was in force.

13564a. That is, the Scott Act in the United Counties of Northumberland and Durham?—Yes.

13565a. What was the result of your observation?—That they were inclined to defy the law, and use and even sell liquor to quite an extent, although I think there was not as much sold in the village as there was before the Scott Act came into force.

13566a. What was the population of Newcastle at that time?—After we left it was reduced to about a thousand.

13567a. It would be what you would call a country village, then?—Yes. There were some four or five hotels there when we were there, and I think there were shortly before the Act was put in force.

13568a. Do you know how many there are there now under the license law?—I think there are two or three.

13569a. Do you yourself favour the enactment of a prohibitory law?—I do.

13570a. To what extent would you carry the law?—I would make it total prohibition.

13571a. Prohibiting the importation, manufacture and sale for beverage purposes?—Yes.

13572a. Would you make an exception of what would be needed for mechanical, medicinal and sacramental purposes?—Yes. It would be necessary.

13573a. The question has arisen as to whether such a law should interfere with the manufacture by farmers of cider or wine for their own use. Have you considered that question at all?—I have. I do not see why cider need interfere with the prohibitory law in any way, there is so little cider used. It is not as it was years ago, when there was a large quantity of cider made for drinking purposes. It is now made for domestic purposes. I think that would work its own cure.

13574a. Would you object to its being sold—going beyond private use?—I would.

13575a. That is, you would allow it simply for the private use of the man who made it?—Yes.

13576a. Have you considered the revenue question?—I have, I think. While there is a large revenue derived from the manufacture and sale of liquors, at the same time I think that crime increases to such an extent that if we had prohibition, the crime would be lessened to such an extent, at least in a few years, that we could do away with the expense of the criminal courts—that the reduction would be sufficient in other ways to meet the demands.

13577a. You know that nearly all the expense for criminal justice comes from the province, and it is in the Dominion that there is said to be a revenue of six and a half millions derived from the liquor traffic out of a total of thirty-six millions. Have you considered how that could be made good?—There is no doubt there would have to be some other means of revenue at first.

13578a. In case of the enactment of such a law, would you be willing yourself, if need be, to submit to direct taxation?—I would most certainly, and I think the majority of the people would for the sake of lessening the crime.

*By Mr. Gigault :*

13579a. Do you think the license law is well enforced in Toronto?—I do.

13580a. Do you believe the Scott Act had the effect of reducing the number of crimes?—I do.

13581a. You said, I think, that you would allow the farmer to make cider out of his apples?—Yes.

13582a. Would you allow him to make wine out of his grapes?—A. Yes.

13583a. If you allow the farmer to make wine out of his grapes, would you allow the workingman to buy grapes and make wine out of them also?—No, I would not.

13584a. For what reason?—Because that is a traffic. A man that raises his grapes is entitled to make the wine out of them, although that is not done to any extent, I think, in Canada, except where it is made for sale. I do not think there is a grapery in Canada where a man makes wine out of his grapes for his own domestic purposes, to any extent.

13585a. Do you think it is wise to put the liquor traffic into the hands of respectable persons?—If we have the liquor traffic at all, I think the best men we can get for it the better it is for society.

13586a. How many men do you employ here?—We employed last year in the three factories about fifteen hundred.

13587a. What is the proportion of men who drink to excess to the total number of your employees?—I could not say exactly, but I would not think there were more than ten per cent of our men that use liquor to any extent.

13588a. Have you been in any country where a prohibitory law was in force?—I have been in Maine several times.

13589a. In what part of Maine?—In Portland.

13590a. What did you ascertain there as to the liquor traffic?—I ascertained that liquor was sold or given away clandestinely by different parties there. At the same time my observation satisfied me that the prohibitory law was a benefit, even in Portland.

13591a. Which would you prefer, a good license law well enforced or a prohibitory law loosely enforced?—Well, I do not see any reason why we should not have a prohibitory law properly enforced the same as we do our other laws, if we are loyal.

13592a. I think you said the Scott Act was not very well enforced in the place where you lived before coming to Toronto?—No, it was not.

13593a. Do you think it would be easier to enforce a general prohibitory law than the Scott Act?—Most decidedly, because the adjoining municipalities or townships to those that had the Scott Act in force had the sale of liquor going on, and people would go across the lines and get liquor and bring it in clandestinely and use it. The influence of the adjoining townships was against the Act, and they would do all they could to prevent it being carried out.

*By Judge McDonald :*

13594a. Newcastle is in the County of Durham; the County of Ontario to the west had the Scott Act, the County of Victoria at the rear had the Scott Act, the County of North-

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umberland on the east had the Scott Act, and Lake Ontario was on the south ; so that the county was completely surrounded by the Scott Act counties ?—Nevertheless, there were counties adjoining those counties that did not have the Scott Act ; and they would use their efforts to prevent it being carried out in those other counties.

13595a. Was there any county nearer than the County of Hastings and the County of York ?—The distance from the County of York was not so great but that liquor could be brought from there and carried through those Scott Act counties without very great difficulty.

13596a. Have you considered that in the event of a prohibitory law the United States line would be very near Canada—nearer in long sections than any licensed part of Canada was to Newcastle ?—There is a great difference, where you have an entire province or the Dominion under the law, from having only isolated counties.

*By Mr. Gignault :*

13597a. Would you advocate for Canada a prohibitory law similar to the one in Maine ?—I am not prepared to give an opinion as to the best prohibitory law ; but I certainly would advocate the best prohibitory law we could get ; and if we could not get the best at first, we would keep on until we did get it, as they have done in Maine. I believe they have gone on improving it, and the fact that they have voted that law continuously for so many years ought to be a good argument in favour of a prohibitory law.

13598a. Such a one as they have in Maine ?—Yes.

13599a. Do you know that in Maine they have the right to import for private use ?—I believe they have.

13600a. Would you allow such a thing in Canada ?—No, I would not.

*By Rev. Dr. McLeod :*

13601a. About what amount does your Company pay in wages ?—We pay something like half a million dollars a year.

13602a. About what proportion of your finished product is represented by the labour which enters into it ?—I have not figured that out carefully, but my impression is that it would be about one-fourth of labour.

13603a. Have you considered about what proportion of his time a drinking man losses on account of his drink ?—That varies. Some of them loose much more than others. At Newcastle, I think we had some men who lost fully one-third of their time, and in some instances we have had good mechanics, men that we wanted to keep and could not very well part with, who would not work more than half their time : but we put up with them, and we have tried to reform them in some instances. We have been able to reform some of our best mechanics, who are now strictly temperance, total abstinence, men.

13604a. I suppose that in yours as well as in other industries the drink habit of one man interferes with a gang of men in their work ?—It does. Very often a man addicted to drinking is the leading man in a certain line of industry, and other men are dependent upon him ; and when he is away those men are thrown out of work.

13605a. So that the drinking man is not the only loser ?—Not by any means.

13606a. Those who work with him and you who manage the industry also suffer loss ?—Yes.

13607a. And I think that you have said that the establishment of the saloons makes the difficulty greater ?—Yes. One of the best men we had in our employ commenced by drinking beer at his table. My son, who was then manager, warned him what it might lead to. He replied that there was no fear of it. He continued to use it probably for some ten years ; he was with us over twenty years ; and the habit grew on him until he had got so that he was incapable of attending to his work. We reprimanded him, but he still urged that he was able to take care of himself ; but he continued. We got him to insure his life for the benefit of his family. It was not long before we had to discharge him. He saw then when it was to late, and begged that we would put up with him. We took him back two or three different times, but he was not in a fit state to attend to his work, and we had finally to discharge him.

13608a. Have you noticed whether the liquor traffic as established interferes with your sales throughout the country? Does it make the purchasing power of the people less?—We have had some difficulty with agents that we have established throughout the country. We have lost. I could call to mind two or three instances in which the agents were as good men as probably were to be found in the vicinity, but who, through their social relations, got to tipping, and finally got to drinking to excess. In one instance the man ran away to the States, taking with him over a thousand dollars, which we lost, and his wife and family were left destitute, and we cared for them for some time. We have had two or three instances bordering on that line.

13609a. Do you see any relation between such a case and the drink traffic?—I do decidedly. The social relations that man was thrown into in his business, were such, men perhaps asking him if he would treat them in order to make a sale, that he fell into the habit and in that way began drinking himself. He was, perhaps, a total abstainer before, but in that way got into the drink habit, and was led on by degrees until the appetite overcame him and he finally became an embezzler and left the country.

13610a. Have you noticed in a broad way whether the liquor traffic as established and carried on in the country has any effect on the other branches of business, in the country, and if it has any, whether that effect is good or bad?—I have had an opportunity of judging in various ways. While I was in Newcastle, I was the Justice of the Peace there for some twenty-years; and so many cases were brought under my observation and came before me officially that I had a good opportunity of knowing something of the effects of the drinking custom on business as well as on crime; and I might say that the records I kept at the time showed that from fifty to seventy-five per cent of the cases brought before me could be traced directly or indirectly to the drinking habit.

13611a. Those were the cases of crimes and offences?—Yes.

13612a. You think it has also an ill effect on business?—On business of all kinds, at least on all the business that has come within my knowledge, and in connection with our business especially.

13613a. It is claimed by some persons that the prohibition or delegalization of the traffic would have an injurious effect on other branches of business. Do you think it would have that effect?—I do not. I think it would improve business; at least, I would judge so, from my experience and knowledge.

13614a. Some people contend that it is only one form of exchange, and that instead of being an injury it is a benefit, because it keeps the ball rolling?—It may be a benefit to the distiller and brewer; but I cannot see how it can be a benefit to any other business.

13615a. This point is made sometimes, that a prohibitory law would throw a large number of men out of employment—those employed in distilleries and breweries and in bar-rooms about hotels. Have you noticed whether there is a condition of things here that makes it impossible for men to get employment?—At certain seasons of the year it is difficult to get employment in certain lines, although I think as a rule Toronto furnishes employment for the class of people that want it as much as any city I know of.

13616a. Do you think the capital now invested in breweries and distilleries in this country would be likely to go begging if no longer employed in that way?—I do not see why it should. There are other lines of business that need capital very much, and need labour, and I should suppose that all the capital we have in Canada in that line could find investment, and profitable investment, though I do not know that it would be as profitable as brewing and distilling.

13617a. If the production of liquors in this country were delegalized do you think other branches of business would languish in consequence, or would they receive an impetus?—I would suppose they would receive an impetus.

13618a. From your general observation, have you formed some definite opinion of the proportion of crimes or offences of one kind or another that may be traceable to the drink traffic?—You spoke of your experience in Newcastle; have you considered the question in a more general way?—Yes; I have studied statistics in reference to crime, and my opinion has become more firm than ever it was when I was acting as Justice of

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the Peace that the habit of drinking liquor is the cause of four-fifths of the crime that is committed.

13619a. And what about poverty?—Well, I should say it would be in the same proportion.

13620a. And what effect has the drink traffic on the morals of the people?—It is certainly demoralizing, very greatly so. I may say that in connection with our business we have scarcely had an instance of suffering in the families that has not been traceable to the use of drink.

13621a. You incline, then, to believe, as a business man and a large employer of labour, that it would pay the country financially to have done with the traffic, to say nothing of moral considerations?—Yes; I would be willing to be assessed directly in order to bring about prohibition, if there was no other remedy for it.

13622a. Do you think direct taxation is the only way to make good the deficit that would immediately occur upon prohibition being enacted, or would it adjust itself?—As I said before, I think it would adjust itself in a few years. It would probably be necessary to have direct taxation at first in order to meet the requirements of the country.

13623a. You are inclined to believe that with the removal of the drink trade, and a change in the drinking habits of the people, there would be an increased production in your line and in other lines?—I should think so. I would think that other forms of industry would be established that are now lying dormant for the want of capital and in which labour would be used.

13624a. And also is it for the want of purchasing power on the part of the people?—Yes.

*By Judge McDonald :*

13625a. You speak of capital finding investment in other ways. What capital do you refer to?—The capital now used in distilling and brewing.

13626a. Do you think that, in case of the enactment of a prohibitory law such as you favour, brewers and distillers should be remunerated for plant and machinery rendered useless?—I do not.

13627a. In speaking of capital finding investment in other ways, I do not suppose you refer to such plant and machinery as would be rendered useless?—I think plant and machinery is a very small consideration, among the larger distilleries at any rate. If the amount of money that Walker and Gooderham, for instance, have made in the business were invested in other industries, it would employ the labour that they are now using for the purposes of the distillery.

13628a. Were you here when some of the brewers gave their testimony?—I was here when one or two of them gave testimony.

13629a. You heard them state the effect that the enactment of a prohibitory law would have on their business?—Yes.

13630a. Do you think they are mistaken?—I think they are mistaken; I think it is more imaginary than real. If we are carrying on a business that the Government or the country should see fit to dispense with—for instance, in our own line of business, which is protected by a tariff, if the Government saw fit to take that tariff protection away, while it might be an injury to us for a time, still we would feel in duty bound as loyal citizens to submit, in the same way as any citizen should submit, to the law of this country.

13631a. Is there any statement you would like to make, further than you have made, in reference to this question?—Of course, my convictions are very strong in favour of a prohibitory law. I think the country would be decidedly better for such a law. I think the sentiment of the people is being educated along that line, and has been for the last few years. I think the time is not far distant when the people will demand a prohibitory law, and I think it would be the best law that could be given to the country. I have had so much experience during my lifetime; from boyhood up, of the effects of the drinking custom, that perhaps I may be a little more severe against that custom than many others would. But I have suffered in various ways in consequence of it. I was brought up in the midst of such drinking customs that we could



not get men to do work unless we furnished them with what liquor they wanted. At that time it was largely whisky that was drunk ; and when I was a lad of nine or ten years I was required to go to a distillery once a week to bring home the liquor that was furnished to the men in harvesting and logging bees. My father soon became convinced that it was an injury to the men, and he was suffering thereby, and he was determined to make a change ; and he was the first one in the township of Haldimand to resolve that he would not furnish liquor during the harvest time. It was then that he could not get his work done ; but he succeeded, and in a short time there was quite an alteration throughout the whole country there, in the direction of doing away with the custom of furnishing liquor during harvest time and at logging bees. I remember my father saying at one time that he would make a test to see which man could do the most labour in a given time, with liquor and without it, and the result was, and the men unanimously admitted it, that they could give far more work in a given time without the spirituous liquors than they could with them. The result was that he abandoned the custom entirely.

13632a. Are you opposed in principle to obtaining a revenue from the traffic ?—I am.

13633a. And in principle you are opposed to licensing ?—Yes.

13634a. But if you do not have a prohibitory law, you would rather have a license law on account of the prohibitory features of it ?—Yes, prohibit everything about it that we can.

13635a. Suppose you had not a prohibitory law, would you rather have the present license law, or have a law which would throw about the traffic all the prohibitions now thrown about it without obtaining a revenue from it ?—It would be hardly right, I think, for men to be allowed to manufacture the article and not pay any revenue.

13636a. Perhaps you have not considered the question from this point of view. You are a total abstainer ; I am a total abstainer ; the Dominion Government receives from this business a revenue of six and a half millions, to which you and I, and other total abstainers, really are not contributing at all ?—We are in a certain sense, from the losses we sustain.

13637a. The question is whether we do in reference to the Dominion revenue. Now, if this revenue were withdrawn, the whole country, including total abstainers, would have to pay a larger taxation in some way, either directly or by increase of the duties ; and therefore, as long as a revenue is collected from the traffic, those in favour of prohibition are sharing in that revenue ; they are receiving from it a direct relief from what they would otherwise have to pay. Looking at the question from that point of view, do you think it right that a revenue should be received from the traffic ?—I think revenue should be received as long as they are allowed to manufacture it.

13638a. Do you think the same with regard to the sale for beverage purposes by the man who keeps an hotel or saloon ?—That he should pay a license ? Most decidedly.

13639a. As long as the traffic is allowed, you would make it a means of revenue to the country ?—I would decidedly. I would not allow them the privilege of manufacturing or selling liquor without paying a license.

13640a. Two or three years ago, for instance, the Finance Minister threw the duty off sugar and increased the taxes on liquor and tobacco ; so that the man who abstains from liquor has the advantage of the reduced price of sugar without contributing to the revenue that is raised to make up for that reduction. In a case of that kind, is it the user or the manufacturer of liquor who pays the increased duty which enables the non-user to get the advantage which he does ?—If I could not get prohibition, I would like to see the liquor heavily taxed, and the party who used it charged such a price that he would not care about buying it.

13641a. You would so increase the duty and the price in that way as to help along prohibition ?—Yes.

13642a. In case you did not get prohibition, and the license law were retained, you would favour a high license ?—I would as the next thing. If I could not get prohibition I would favour high license, and half the number of places.

13643a. And all necessary restraints thrown about them ?—Yes.

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13644a. Are there any desirable restraints that you think of that are not now provided by the license law?—I suppose the municipalities govern those very largely.

13645a. In case of a man who is licensed being convicted a number of times for violating the law, would you as a business man favour the license being taken not only from him, but from the premises in which he conducts his business?—I would decidedly.

13646a. It is said that would be a hardship on the landlord, but it is answered that the landlord might be protected by a provision that in such a case the lease would cease?—He might protect himself in that way.

13647a. Do you think the fact that the premises would lose the license after a certain number of convictions, would tend to prevent the law being broken, and enlist the landlord on the side of the law?—I do. I think it would have a very beneficial effect.

13648a. Is there anything else you would like to say?—I think we have too many licensed places in the city now, especially saloons. In fact, I think we should do away with the saloons entirely, and that the bars in hotels should be separated as far as possible from the rest of the building, and placed under the supervision of the best men that can be got for the purpose, so that the morals of young men might not be corrupted by frequent tippling and drinking in them. In other words, we should take every precaution possible to prevent our young men using spirituous liquors to any excess whatever. At the same time I see no way equal to prohibition.

*By Rev. Dr. McLeod :*

13649a. I think I did not ask you what is the value of your output annually?—It runs from three to five million dollars.

13650a. Can you give us an idea whether a distillery or a brewery with an annual output of three millions would employ as many men as you have to employ to turn out your product?—I should think not—nothing near.

13651a. So that your industry, for the capital invested and the output, has to employ a considerable number more men than a brewery would?—I should say a very largely increased number.

13652a. If the Government at the coming session should revise the National Policy so called in a way that would affect your business—diminish your profits, perhaps seriously—would you regard yourself as having a claim for compensation?—Not at all.

13653a. You are in this business taking your risks?—We have to take our risks the same as any business man. While I do not wish to put our business on a par with the business of manufacturing an article that will injure men instead of doing them good, at the same time I think we should take our own risks in any matters of business. If the Government sees fit to enact a law that is not in our interests we must submit.

THOMAS DEXTER, on being duly sworn deposed as follows :—

*By Judge McDonald :*

13654a. Your residence is in Toronto?—Yes.

13655a. You are Chief License Inspector of the city?—Yes.

13656a. How long have you held that office?—Since March 1876.

13657a. You were appointed under what is commonly called the Crooks Act?—Yes.

13658a. That law has been amended from time to time by the Legislature?—Yes, there have been frequent amendments.

13659a. Have those amendments been with a view of making it more stringent in reference to the conduct and management of the liquor trade?—Yes.

13660a. Have you found them of aid to you in the discharge of your duties?—A very great aid.

13661a. Have you found them beneficial in promoting temperance?—Yes.

13662a. We have had some evidence—I do not think it has been official—as to the number of licenses in the city. Will you tell us the number of licenses at the present time and the kinds of licenses?—The number at present is: 140 of what are known as taverns, ten saloons and fifty shops. This limit was made under what is called the Fleming by-law.

13663a. The fifty shops include the wholesale?—No, there is no limit to the wholesales.

13664a. How many are there?—At present I think there are about twenty-one or twenty-two.

13665a. Have you some statistics with you?—I have just made a few notes. Last year there were issued ten wholesale licenses; the price was \$250; and there were eleven brewers' licenses issued. The local government have taken upon themselves to demand that the brewers shall pay a license.

13666a. What do the shop men pay?—\$350, the saloons \$400, and the taverns \$350. I should state, with regard to saloons, that I think that is an unfortunate word to apply to that license. There are only ten of them in the city, and they are mostly first-class eating houses.

13667a. The law now requires that they should furnish food?—Yes, no license can be granted as a saloon license.

13668a. Restaurants?—That would be almost a better word for them. The twenty-eighth section of the license act tells us the conditions under which a saloon license shall be granted; there is certain accommodation required for the daily serving of meals to travellers.

13669a. Then, what are called saloons in Toronto do not require to have bed room accommodation, but must have facilities for supplying meals?—The class of saloons licensed are the Board of Trade restaurant, the Union station refreshment room, the Bodega restaurant, and so forth.

13670a. How do you find the so-called saloons in the city of Toronto carried on?—I find them carried on very well.

13671a. They are conducted in a respectable manner?—Yes; we have seldom occasion to lay any informations against them.

13672a. How do you find the provisions of the license law carried out on the whole, in reference to Saturday night and Sunday closing, sale to minors, and so forth?—Well, we do the best we can. There are frequently infractions of the law, and sometimes the tavern-keepers are fined. We have to keep detectives in Toronto, we cannot get along without them, and we learn of infractions through our men.

13673a. Do you find that there is much illicit selling in Toronto?—There is not nearly so much as there was in the past. The most of the illicit selling is in the hands of the criminal class.

13674a. We have been told that as a general rule, where houses of ill-fame exist there is almost sure to be the illicit sale of liquor in them. Is that your experience?—Yes.

13675a. Have you as an official noticed what kind of liquor is generally sold in these unlicensed places?—In the houses of ill-fame they hardly have anything but beer. In these places they sell beer at a high price, say at a dollar a bottle, from that down to twenty-five cents—what is worth about ten cents. At places called dives, where they make a business of selling on Saturday night and Sunday, whisky is mostly sold, because it is in small compass and can be more easily hidden.

13676a. Have you reason to suppose that the spirits sold in these unlicensed places are adulterated?—It is pretty poor stuff usually.

13677a. What class of people apart from the houses of ill-fame, are generally engaged in the illicit business?—The dives are pretty much frequented by the criminal classes.

13678a. Do the men who keep them belong to the criminal class?—I would not like to say that. But there are a number of hangers on about these places, and if they happen to get a man on the street under the influence of liquor they entice him in, and he probably comes out with less money than he had when he went in.

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13679a. Are there any women engaged in the unlicensed traffic in Toronto?—Yes.

13680a. Have you any difficulty in Toronto in connection with the transfer of licenses?—Yes. We have had cases sometimes in which there has been strong objection. There is this year one case particularly, which has been in the courts since May, and which has just been decided in the Court of Appeal. That was not a removal, but a person asking for a new license in new premises. He had a license in his old place, he did not ask for the removal of his old license, but asked for a new one from the first of May.

13681a. Are there many removals?—Not a great many.

13682a. What is your view of the desirability, after a man has been convicted a certain number of times, of having the license for the premises forfeited?—I think that would be a very unfair thing to the owners of the property.

13683a. It has been suggested that the landlord might protect himself by a provision in the lease that after say two or three convictions the lease should be forfeited?—On my own recommendation there have been conditions inserted in nearly all of these leases that in the event of the license being withdrawn, through no fault of the tenant, the lease should lapse. We have been aiming to get the licensees into larger and better premises all the time.

13684a. His Worship the Mayor said to us that he believed the men engaged in the traffic in the city of Toronto were as good men as could be found in the business in Canada. Is that your judgment?—I think so.

13685a. Have you found that the reduction of the number of licenses has had the effect of weeding out the less desirable places?—Yes, it has been so. Mr. Massey was referring to the neighbourhood of his factory, that is a case in point. There were four places on Strachan avenue, all close to his premises. Three of these were taken away, the fourth one that remains is a very respectable place. The three that were taken away were not desirable places, and the parties keeping them were better out of the business.

13686a. Have you noticed as a citizen of Toronto that drunkenness has greatly decreased from year to year in the last few years?—Oh, I think so.

13687a. Have you had any experience of the working of a prohibitory law in any country?—None whatever, except when I have been travelling around.

13688a. Have you travelled in any country other than Canada where there has been such a law?—I was in Maine, New Hampshire and Vermont between 1870 and 1880.

13689a. What did you find there?—I am not a teetotalter, and found no difficulty in getting what I wanted.

13690a. Did you find liquor sold openly in any of the places?—There was a certain amount of secrecy about it.

13691a. We would be glad to have from you a statement about the matters we are investigating—as to any amendments that you think would be advisable to make in the license law?—In regard to the issuing of licenses, I can give you a statement of the licenses issued and the amounts collected since I have had charge of this business as compared with former times. In the year 1874 I was appointed by the Ontario Government as issuer of licenses for the city of Toronto and the County of York: that was two years before the Crooks Act came in. I think the population of Toronto at that time was sixty-six or sixty-seven thousand. The city or the Board of Police Commissioners, who authorized the issue of licenses under the old state of things, authorized me to issue 290 tavern, 10 saloon, 134 shop and 21 wholesale licenses. The price of the tavern license that year was \$80, saloons \$105, shops \$70 and wholesale \$50. In 1875 there were 289 taverns issued, and the price was put up to \$130; 128 shops and the price was put up to \$130; the wholesale remained at \$50. There were no saloons that year, they were all included as taverns. Of course, when the Crooks Act came into force in 1876, there was a limit made to the number of licenses according to population and the Commissioners thought it wise, seeing that such a great alteration was to take place, to issue the full number that they were authorized to do by law. They therefore issued 215 taverns. The city council added \$100 to the statutory amount of \$100, making the license fee that year \$200. The shops issued were 100, and the price of these

was also fixed at \$200. We issued 39 wholesale licenses that year, and the price fixed by statute was the license fee, \$150. These 39 wholesale licenses included 11 breweries. Of course, there were cut off that year 28 shops and 74 taverns. The great majority of the people whose licenses were taken away continued to sell, and we found it necessary that year to spend a good deal of money in detective service; but we collected in fines in the year, \$2,207. The total amount collected, including the fines, was \$71,557. In 1877 our Board issued 182 tavern licenses, and there were none of what are now called saloons. That year the city council, under strong pressure, reduced the license fee by \$50, so that it was only \$150. The shops numbered 100, and the license fee for them was also \$150. We issued 32 wholesale, including again the 11 breweries, and for these the price was also \$150. That year there were 14 taverns and five shops extended for three months to those people whose licenses were cut off, for no particular reason except to reduce the number. That year we collected in fines, as the result of more fighting, in the Police Court, \$3,560, and the revenue from all sources was \$51,372.50. I have made a note here: "Owing to the decision of the Supreme Court in the case of the Queen vs. Severn, the fees collected from brewers in 1876 and 1877 were refunded." In 1878 we issued 181 taverns at \$150, 92 shops at the same, and 20 wholesale; the fines collected were \$2,495, and the gross amount received, \$46,445. In 1879 we issued 195 taverns at the same price, 98 shops at the same price, and 19 wholesale also at \$150. The fines collected were \$2,490, and the gross amount \$49,290. In 1880 we issued 204 taverns at \$150, 94 shops at \$150, and 80 wholesale at \$150, one special six months' license, and one extension for three months; fines collected, \$2,990; gross amount, \$50,552.50. In 1881, there were 211 taverns at \$150, 95 shops at \$150, 15 wholesale at \$150, one beer and wine license—that was the year that the Government authorized the issue of these—one special for six months, and two extensions for three months; fines, \$1,290; gross amount, \$49,727.50. In 1882, 213 taverns at \$150, 3 beer and wine at \$100, 1 special six months' tavern license, three extended for three months, 100 shops at \$150, two extended for three months, 14 wholesale, one extended for three months; fines collected, \$1,510; gross amount \$51,160. I should mention that between the years 1878 and 1882 the population of Toronto increased very rapidly, and there was a great pressure brought to bear on the Commissioners to increase the number of licenses. In 1883, 197 taverns at \$150, 11 extended for three months, 2 beer and wine licenses extended for three months, 98 shops at \$150; 2 extended for three months, 14 wholesale at \$150; fines collected, \$1,520; gross amount, \$48,407.50. In 1884, 217 taverns at \$210—the price was increased to this—including 14 which were issued by the Dominion Government under the McCarthy Act in addition to the number authorized by the Ontario Board, 88 shops including 2 issued under the McCarthy Act, 13 wholesale at \$225—the Local Government put the price up—5 shops extended for three months, and 1 wholesale extended for three months; fines collected, \$2,647; gross amount \$69,940.64. In 1885, while the legal question between the Dominion and the Local Government was still under discussion, 227 tavern licenses were issued at \$210; there were three extensions for three months, 71 shops at \$210, 14 wholesale at \$225; fines collected, \$3,140; gross amount \$69,027.50. In 1886, 212 taverns at \$300, 5 extensions for three months, 2 wine and beer at \$137.50, 9 saloons at \$350—this is the first year that the saloon license was introduced—one beer and wine saloon at \$150, 66 shops at \$300, 13 wholesale at \$250; fines collected, \$2,120; gross amount, \$92,720. In 1887—this was the year the Fleming by-law passed, which cut off 74 tavern licenses—there were issued 140 taverns at \$350, 68 three months' extension, two beer and wine extensions for three months, nine saloons at \$400, one saloon extension for three months, one beer and wine license at \$200, 50 shops at \$350, seven extended for three months, 13 wholesale; fines collected \$4,250; gross amount \$82,206.26. In 1888, 140 taverns at \$350, one special six months' license, 13 taverns extended for three months, 10 saloons at \$400, one extended for three months, one beer and wine saloon extended for three months, 50 shops at \$350, four extended for three months, 12 wholesale at \$250; fines collected \$1,290; gross amount \$76,602.50. In 1889—this was the year when Parkdale came into the city—we issued 142 taverns at \$350, one special six months' license, two extensions for three months, 10 saloons at \$400, 50 shops at \$350, six shop extensions of

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three months, 14 wholesale at \$250; fines collected \$1,985; gross amount \$77,560. In 1890, 140 taverns at \$350, two tavern extensions for three months, one special six months' license, 10 saloons at \$400, 50 shops at \$350, one extension for three months, 11 wholesale at \$250; fines \$1,530; gross amount \$75,217.50. In 1891, 140 taverns at \$350, two extended for three months, 10 saloons at \$400, 50 shops at \$350, 11 wholesale at \$250; fines \$3,465; gross amount \$76,890. In 1892, 140 taverns at \$350, 10 saloons at \$400, 50 shops at \$350, one shop extended for three months, 10 wholesale at \$250, one wholesale extended for three months, 11 brewers at \$250; fines \$3,590; gross amount \$81,090. Up to 1889 we issued vessel licenses; we issue none now. From 1876 to 1889 the gross amount received for vessel licenses was \$6,868.50, which went wholly to the Ontario Government; then the legislature thought it wise to decide that no more should be issued. A small amount was received each year for license transfers; for several years the fee was only five dollars, and the amount received would not average over \$150 a year; and in 1892 the price of transfers was increased to \$50. For this year the licenses are pretty much as they were last year.

13692a. I notice that in 1883 the fines amounted to \$1,520, in 1885 to \$3,140, in 1886 to \$2,120, and in 1887 to \$4,250. How do you account for it, where years come together in that way, that in one there is such a large increase over another?—A number of licenses were struck off under the Fleming by-law in 1887; there was quite a fight about it, and a great number kept on selling; and we had to pursue them until we stopped them.

13693a. In 1890, after the Fleming by-law, the fines were \$1,530, and in 1891 \$3,465. What would account for such an increase at that time?—The amount of the fine was increased from \$20 to \$50 to from \$50 to \$100.

*By Rev. Dr. McLeod:*

13694a. Can you tell us why there is a difference made between the tavern license and the saloon license, one being \$350 and the other \$400?—The saloon license is considered more valuable, in that the holder does not require to provide bed-room accommodation and so on. That is one reason, I presume.

13695a. And perhaps sells more liquor?—Well, the saloons sell a good deal of liquor, there is no doubt about that.

13696a. Do you know whether the price of liquor in saloons is higher than at the hotel bars?—In some it is, for instance, at the Bodega and at a place on King Street called the Headquarters. I do not think the price of liquor is high enough myself.

13697a. Would this enter into the consideration, do you suppose, that the saloon does a more exclusive liquor business than the hotel, and is therefore required to pay more?—I do not know what was in the mind of the Government when the regulation was made.

13698a. And it has not come under your inspection?—No.

13699a. The brewers' license is lower still?—Yes, I may say that the brewers have not paid their licenses either last year or this. They think they should not have to pay, and they are carrying the matter to the court.

13700a. That is in addition to what they have to pay to the Dominion Government?—Yes, in addition to the excise license.

13701a. Do you regard the license law as well observed in Toronto?—That is rather a delicate question to ask me, because I consider that it is better observed in Toronto than anywhere else.

13702a. Without reference to other places, it is well observed here?—It is well observed. I do not think that five per cent of the money collected in fines comes from the licensed people.

13703a. You think the licensees observe the provisions of the law?—Pretty well.

13704a. Are there many illicit places?—I do not think there is a fourth of what there was a few years ago.

13705a. How many do you think there are now, making a rough guess?—It would be very difficult to tell. There are quite a number selling in what are called restaurants, eating houses, and sometimes in billiard places. We do not allow billiard-rooms

in licensed places, except in the larger houses. In some cigar stores also liquor is sold. I do not suppose there would be more than from thirty to thirty-five ordinary dives in the city.

13706a. How many of these eating places and cigar stores are there that would sell illicitly?—Probably fifty.

13707a. So the ordinary dives and those taken together would make about a hundred?—I would not go that length. I do not think so many as that.

13708a. What is the average fine for violation of the license law?—From \$50 to \$100 for the unlicensed, and from \$20 to \$40 for the licensed.

13709a. There is a provision for revoking the license after a certain number of violations?—Yes.

13710a. Are there many licenses revoked?—No.

13711a. Are there many licensees who reach the point of violation that would lead to it?—No.

13712a. I notice that last year you collected in fines \$3,500. That would make nearly seventy two violations?—I find in enforcing the law that it is better—it is more satisfactory to me at any rate—to have several cases against a man at one time. One fine may not do, and it may take several months to get another charge. We do not get much assistance from the outside public in this matter.

13713a. Do you get much from the licensees?—No, they are nearly as bad as the temperance people. Only the other day a lady came into my office and said she wanted to make a charge against a licensed tavern-keeper. I asked her who she was, where she lived, and what the charge was. She said she had notified a certain hotel-keeper not to supply liquor to her son who was under seventeen years of age. She said: "I feel strongly on this question; I cannot bear my son to go to the tavern at all; yet although I notified this man, I found him last night supplying my son with liquor." I asked what her son's name was, and said I would attend to it. She said: "There will be no court business about this, will there?" I said: "Of course, there will." "Oh," she said, "I would not have any court business for the world; I would not go there." I said: "We may not have to trouble you." She said: "I won't let my son go there either; I will take him out of the country before I will let him go there." I said: "What can I do, then?" I could do nothing, and she left.

13714a. I suppose you see a good many cases like that?—I never can get them to go to court. People complain of our employing detectives; we cannot get on without them. It is the same with the tavern-keepers. I have known tavern-keepers to have dives right alongside of them for months, and they would not say a word about it.

13715a. So that you have come to the conclusion that there may be a good deal of this illicit sale going on that you cannot discover, except from detective service?—We cannot discover it without detectives.

13716a. Which do you regard as the more dangerous, the dives or the taverns and saloons?—I consider the dives and the unlicensed places the more dangerous in more senses than one.

13717a. I suppose the people who frequent the dives are generally the reckless classes. Which class of place do you think would do more damage to the average citizen or young man? which would be the more frequented by him?—The respectable tavern-keeper does not want that class of people about him.

13718a. I mean the better ordered class of young men; for instance, such as the son of the lady who called upon you?—There is quite a lot of drinking in those boating club-houses. They are not licensed, but we cannot well get at them. They get liquor in, and invite their friends, and treat all around, and get up a little fund to pay for it.

13719a. There are some clubs licensed, are there?—Yes.

13720a. Are there some clubs licensed that are only drinking clubs?—I do not know of one. We have burst up some clubs of that kind. They got a charter from the Local Government under the Benevolent Associations Act, which does not give them power to sell liquor in any way. What was called the Independent club got a charter of that kind, and got in a great stock over at the island. We broke up the

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club, and it took us all one day to take away the stock. They pleaded their charter, but it did not prevail.

13721a. I notice by your list that there are in Toronto 140 taverns licensed which are supposed to be hotels?—Yes.

13722a. Have you reason to believe that some of them are only hotels in so far as it is necessary to qualify for a license?—I do not know of one tavern in Toronto that has not the required accommodation.

13723a. Do they do the business of hotels?—I do not know that every one of them does, but I cannot say that they do not. They have the rooms, are properly furnished, and have every required arrangement made. We have made quite a number of changes in Toronto in the last ten or twelve years in the character of the houses—all in advance.

13724a. Still, you find the licensees, some of them, selling to prohibited persons like boys, and selling in prohibited hours?—Yes. In these cases, if I find a man who has not any respect for his license or the Inspector or the Commissioners, I just send for him to come to the office, and I tell him that he must get out of the business by next May or he will be put out. Perhaps I find that he owes money to some persons, it may be the landlord or the wholesale dealer; and I find that it is better to get rid of him in that way quietly than to make trouble.

13725a. You think there has been a decrease in the drinking habits of the people?—I think so.

13726a. To what do you attribute that? To the lessening of the number of licensed people?—Simply to the prevailing sentiment.

13727a. Do you think the number of licenses in Toronto at present is sufficiently large?—I think it is just about what the requirements of the city of Toronto call for. I think if they were further reduced it would create a monopoly which should not exist.

13728a. If they were increased, do you think that would remove the illicit places?—No.

13729a. They would still exist?—Yes.

13730a. If the licensed places were decreased, would there be more illicit places?—I do not know that there would, because the punishment is pretty severe now. We follow them up so closely in Toronto, and the fines have been made so heavy that illicit selling is not such a nice thing financially as it used to be. When they could get off with \$20 fine, they would pay it without much trouble.

13731a. What is your minimum now?—\$50.

*By Judge McDonald:*

13732a. On what do you base your statement that you think that if the licenses were increased, there would still be illicit places?—On the character of the people who keep the places. They would not get licenses anyway.

*By Mr. Gigault:*

13733a. How many detectives do you employ?—We can keep one only a short time. We perhaps have three or four at a time, and we cannot keep them more than two months. We have to give thirty days notice of a prosecution, and once they appear in court their usefulness is gone, because then they are known to the illicit sellers and their friends.

13734a. Have you many houses of ill-fame in Toronto?—There are not so many as there were; but our men generally find them out. They get invited to call by women on the street, and are induced to go and see what is going on.

13735a. But you have some?—Yes; we have some.

13736a. Do you know anything of the enforcement of the Scott Act?—No; personally, I am not acquainted in any way with the enforcement of the Scott Act more than this, that sometimes during the time it was in force I was asked by outside people to send them some men if I could. I have done that in some instances when I had some men whom I knew to be trustworthy. Probably a magistrate or some one in authority would write to me.

13737a. You do not know whether it was very well enforced or not?—Well, I do not think it was, from what I heard outside.



13738a. I think you said that the police have instructions to suppress the houses of ill-fame?—I did not say so; but it is part of their duty, I presume.

13739a. In years gone by, I think, there were some regular houses of ill-fame here?—So there are yet.

13740a. Has the municipal council here the right to exact a fee from the licensed liquor dealers?—They get a portion of the fees. Of the first hundred dollars, which is statutory, they get two-thirds, less two-thirds of the working expenses of our office, and then they get the other hundred dollars imposed by by-law.

13741a. Has every municipal council the right to enact a by-law by which they can impose an additional fee to that imposed by statute?—Yes.

13742a. Is the amount limited?—Yes. They cannot go beyond \$200 in the city. I do not know what it is outside.

13743a. What do you think of the high license system?—I think in the present state of the business the fees they are paying in Toronto are high enough. I do not think a reduction of the number of licenses and the imposing of a higher fee would be of any particular benefit either way.

13744a. What do you think of the law by which beer and wine licenses can be granted? Do you know if the persons who hold these licenses observe the law and sell only wine and beer, or if frauds are committed?—It was a failure in Toronto: we could not keep them from selling the stronger liquors. They would not sell them so openly as the men who had full licenses, but we found that they were pretty much all selling strong liquors.

13745a. Is there a beer and wine license here still?—No, there is none. I think it is still used outside of Toronto. We found that it was a sort of evasion of paying the full license.

13746a. According to the report of the Provincial Treasurer on the working of the Tavern and Shop License Act for 1891, at page 19, I find that in 1885 the total number of licenses issued in the province was 3,132, in 1886, 1,974; in 1887, 1,862; and in 1888, 2,445. These are the years, I think, during which the smallest number of licenses were issued, and I believe they are the years during which the largest number of counties were under the Scott Act. Am I right in saying so?—Yes.

13747a. Now, If I examine the Reports on Prisons for 1892, at page 8, I find that in 1885 the number of prisoners committed to the common jails of the province was 11,426, in 1886, 10,645; 1887, 11,017; in 1888, 12,454. If I add all these figures, I find that during the Scott Act period there were 45,542 prisoners committed. Now, I take the succeeding period, which I may call the period which followed the Scott Act period, and I find that there were committed in 1889, 12,532; prisoners, in 1890, 11,810; in 1891, 10,423; and in 1892, 9,011. Adding these figures, I find that 43,775 prisoners were committed to the different jails of this province during the four years which followed the four years of the Scott Act. If I make a comparison between the two periods I find that during the Scott Act period 1,767 more prisoners were committed to the jails than during the four following years. Do you think these figures are correct?—I presume they would be correct.

13748a. Can you give any explanation of these figures?—I could not give an opinion. I presume those figures would be right. Of course, there was a great deal of confusion at the time the Scott Act was supposed to be in force. I am given to understand that in many places the Act was not really in force, and did not get a fair show.

13749a. It is contended that a prohibitory law will reduce crime; but if instead of that the number of prisoners and the number of crimes increased under the Scott Act, that contention is not worth anything as to the Scott Act; and for that reason I would like to know whether I am in error in concluding that the number of prisoners committed to the jails during the four years that followed the Scott Act period were less than the number committed during the four years during which the largest number of counties were under the Scott Act, or whether prisoners could be sent to other jails than those mentioned in the report?—I presume these returns are authentic; I do not know anything more about it.

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GOLDWIN SMITH, LL.D., Toronto, on being duly sworn, deposed as follows :—

*By the Chairman :*

13750a. You are a graduate of Oxford, I think ?—Yes.

13751a. Would you kindly mention your various degrees ?—I am Master of Arts and an Honorary Doctor of Civil Law of the University of Oxford ; I am also a Doctor of Letters of the State University of New York, and of Brown University of Providence, Rhode Island ; I am also Honorary Master of Arts of Toronto University.

13752a. I will ask the Secretary to read the clauses of the Commission which contain the instructions of the Commissioners, and when he has done so, will you be kind enough to make any statement in reference to this subject which you may desire to make ?—Well, I may state that I am not opposed to temperance or even total abstinence ; my objection is only to the attempt to enforce temperance or total abstinence by law. In fact, you cannot enforce temperance by law, for temperance implies self-restraint and self-restraint ends when coercion begins. I have long had the conviction that it is impossible to enforce total abstinence by law, that the attempt only makes matters worse. I was president of the Liberal Temperance Union, which was formed here at the time of the Scott Act, to suggest a moderate policy. The policy which we wished to suggest was a good license system, and a discrimination in favour of the lighter drinks against ardent spirits, which appeared to be the main source of the evil.

13753a. The organization you refer to is what is known as the National Liberal Temperance Union ?—That is the organization I refer to.

13754a. How long has it been in existence ?—I could hardly say it is in existence now, because with the fall of the Scott Act the organization practically ceased to exist. It was in existence as long as the contest about the Scott Act was going on. We met them upon the platform and advocated our counter policy. I do not presume to say whether total abstinence is or is not right ; I leave that to medical science to determine. My position is that all attempts to enforce it by law are unjust and ineffective.

13755a. I wish to ask you if the constitution of the Union was that which is printed on the front page of a pamphlet now in your hand ?—Yes ; this is the constitution.

13756a. Have you seen any reason to change your views since that constitution was drawn ?—A. No, on the contrary, all that I have seen has tended to confirm them.

13757a. Have you any knowledge of the operation of a prohibitive law in any country, or in any part of a country ? At that time, of course, the effects did not fall exactly under my observation, but we collected a good deal of evidence upon the subject, and proceeded upon that evidence ; we had evidence from leading medical men in different localities as to the effect of the Scott Act, and we proceeded upon that evidence. I may say also that I object to the Scott Act on the ground that it has a tyrannical provision in the arbitrary power which it gives over property, liberty, and reputation, to magistrates of an inferior order, thus warranting conviction upon hearsay evidence—for it in fact amounted to that. Then it gave power to use husband and wife as witnesses against each other which I thought was very injurious to marital peace. It seemed to me that any attempt to compass what no legislature has thought a good object, broke through the principles of justice and liberty, which are as stable as temperance itself. That it was chiefly which called me into the field against the Scott Act.

13758a. Have you paid any attention to the results following the adoption of the Scott Act in the various counties of Ontario where it was put in force ?—We had before us reports of those effects which led in fact to the repeal of the Scott Act in the various counties.

13759a. What, in your opinion, led to the repeal of the Scott Act in the various counties where it was put in force ?—Its failure to accomplish its purpose, and the bad consequences which ensued. A prohibitive law in fact discriminates. We wanted to discriminate in favour of the lighter against the stronger and more inflammatory drinks ; prohibition discriminates in favour of the stronger and more inflammatory drinks,

because, from the greater bulk of the lighter drinks, cider, and wine, and beer, they can be less easily smuggled. It discriminates in fact, practically, in favour of a much worse kind of liquor, especially in the North-west Territories, where I learn that the liquor used was really poison.

13760a. Have you paid any attention to the operation of the prohibitive law in the State of Maine?—Personally, I can hardly say I have. I had an interview with Gen. Neal Dow in Maine, and I made some inquiries on the spot, but I was not there long enough to make observations that would be of any value to this Commission.

13761a. How do you propose to restrict the use of ardent spirits, and to encourage, if I may use that term, the use of ale, wine and beers?—By demanding a higher license for the sale of whisky and other ardent spirits.

13762a. Do you think they should be more heavily taxed by excise and import duties?—Our idea was that the higher license should be required for selling them. The national drinks, if any fermented drinks are to be used in Canada, seem to be beer and cider, both of which the people can get wholesome and light.

13763a. People have been making wines in Canada, and lately the production, I think, has somewhat increased. What is your view with regard to native wines?—Well, native wines also we wish to encourage. I am not saying, nor do I presume to say, that it is good for man to take any kind of fermented liquor; that is a question which I leave entirely to medical science. But I am sure that it is much better for him to take cider, lager beer, or light wines, than it is to take ardent spirits.

13764a. We have all seen your letter in the *Globe* of October 28, 1893, would you like to put that in as an expression of your views?—I should be glad to put that in. I may explain, perhaps, that the editor of the *Globe* had replied to me before I received the invitation of this Commission, or I should have withheld it until I came before the Commission.

13765a. Is there anything you would care to add to the expression of your views contained in that letter?—I do not think there is.

*By Judge McDonald :*

13766a. From the statement you have made, I understand that you are opposed in principle to the enactment of such a prohibitory law as is now being asked for by many people in Canada?—Yes, I am opposed to it in principle.

13767a. You understand that the measure now asked for is one to prohibit the manufacture, importation and sale of all intoxicants for beverage purposes?—Yes.

13768a. With an exception in favour of such liquor as may be needed for medicinal, mechanical and sacramental purposes?—Yes.

13769a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I do not see how the State can properly refuse to do that, because these men have entered this trade under the State's sanction and authority, they have been encouraged to invest their money in this plant, and I do not see how you can escape the necessity of remunerating or indemnifying them.

13770a. Can you give us information as to the use of spirituous liquors in England, the customs of the people, and the effects of the use of distilled liquors as compared with that of fermented liquors?—You know the worst things, of course, in England are the gin palaces. It is a long time since I have been much in England, and my attention was not turned to that subject while I was there, because the prohibition question had hardly arisen. But my strong conviction is that the evil there arises in connection with the use of ardent spirits, a man may take too much beer, but the result commonly is mere heaviness, not the madness which inflames to crime.

13771a. Have you visited continental countries?—I have visited continental countries, but there again my attention was not at that time turned to the subject.

13772a. We are told by people who have travelled in France that light wine is served at the table just as water would be in Canada?—Invariably. I have lived in little village inns, and invariably they serve a certain amount of wine, and I never saw excess. I have lived in Germany, too, and I found the use of beer habitual; they all drink it.

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*By Rev. Dr. McLeod :*

13773a. Are we to understand that the sole object of the Liberal Temperance Union was to bring about the repeal of the Scott Act?—Well, we wished to oppose the Scott Act, but at the same time to substitute such safeguards as we thought practicable.

13774a. Is the Union now defunct?—Yes, it died with the Scott Act.

13775a. So its chief object then was accomplished in the repeal of the Scott Act?—Its chief object was accomplished in the repeal of the Scott Act. Yes.

13776a. You spoke of being favourable to a good license system. Have you sufficient acquaintance with the license system of Toronto to express an opinion about it?—No, I have not. I must defer to those who administer it. We tried to recommend our system as well as we could.

13777a. Your system was one of discrimination against ardent spirits?—Yes, and in favour of the lighter drinks. But when the Scott Act came to an end public attention was no longer turned to the matter, and the whole thing fell away.

13778a. How far, think you, from the attention you have given to the subject, would it be wise and politic to discriminate against ardent spirits?—Well, I should be very glad to see it done. If I am not misinformed, medical science says that ardent spirits are the general source of that craving which produces dipsomania.

13779a. Your plan, I think you said, would be to put higher fees upon the sale of ardent spirits?—That was the plan we proposed.

13780a. The Chief Inspector of Licenses for Toronto was before us this morning, and he told us that the issue of wine and beer licenses had proved a failure in Toronto?—Well, his authority, of course is the best, if that is so.

13781a. He said that some wine and beer licenses had been issued, but they were an utter failure. The difficulty was that the parties would sell ardent spirits along with the wine and beer which their licenses gave the authority to sell?—If you cannot enforce it, of course there is an end to it.

13782a. Do you think it would be an interference with personal rights to make practical prohibitive regulations against ardent spirits?—Not, I think, if medical science pronounces that the use of ardent spirits is really noxious, that is, if it is anything that approaches to a poison in its effects. Then I do not think that personal liberty would be interfered with by prohibiting it.

13783a. You would make your attitude towards that subject turn upon the decision of medical science entirely?—Yes.

13784a. I suppose you regard with favour the prohibitions of the present license law as to Saturday night and Sunday?—I regard with favour any regulations which those who are experienced in the matter think good and operative. I fully recognize the fact that the trade is specially dangerous, and requiring very special and stringent regulations. The great thing, it seems to me, is to get it into thoroughly responsible hands. I do not believe the respectable publican desires to encourage excess more than anybody else does; it is against his interests. If you can get the trade into responsible hands, you would probably avoid the worst consequences, at all events.

13785a. It would seem that the law regards the trade as particularly dangerous, and the men engaged in it as not quite reliable, since it puts so many restrictions about the trade and imposes such severe penalties for violation?—Undoubtedly it is an exceptional trade, requiring exceptional restrictions and regulations.

13786a. Speaking of compensation, you have expressed your belief that in the event of the trade being prohibited, the men engaged in the manufacture, at least, ought to be compensated. Would that apply also to the keepers of taverns and saloons?—I have hardly considered that subject. I can only say as some other gentlemen have said, that as the State has licensed and sanctioned the trade, and has thus led people to invest their capital in it, those in the trade would have a right to some compensation if the trade is suddenly abolished. That seems to me to be the dictate of justice.

13787a. There was before us this morning a gentleman who is engaged in a large industry, I refer to Mr. Massey, president of the Massey Harris Co., employing some 1,200 or 1,500 men, and paying those men half a million dollars yearly in salary, with

an output of some five or six million dollars per year. This gentlemen said that if, by a revision of the tariff at the next session of Parliament, there should be serious interference with the business of the company, they would expect to stand it without making any claim for compensation. Would you put the liquor business upon a different basis?—Well they have been specially sanctioned by the State, they have been specially licensed by the State. In this case you, for the general good, suppress a trade; in the other case it is a fluctuation of trade which any man entering it must expect. Any man who goes into manufacturing must expect fluctuations in the tariff. But a man who pays his license fee, and who enters the liquor trade under the sanction of the State, can hardly expect sudden suppression.

13788a. The contention is that the distiller and brewer are in business from year to year, paying a license, that they are aware of the constant agitation for the overthrow of their trade, and that face to face with all these risks, they enter upon and continue in the trade?—You may put it in that way, it is open to argument.

13789a. Then there is another view which I may mention for your consideration, probably you have already considered it. This trade has been carried on for a great many years, and has been productive of much loss to certain persons and certain classes of the community, and it is contended that if compensation is to be granted at all, those who have suffered from the consequences of the traffic have also a right to be considered in case compensation is made to any one?—I think that is rather a subtle consideration.

13790a. Then it is contended, and with some reason, that the trade has made so much money that it would be unfair to tax the sons of those who have suffered from it, still further to enrich the men who have already made large profits out of the trade?—Surely there is something special in suddenly suppressing the whole trade for the public benefit, and there is a difference between that and leaving a trade to the ordinary chances of trade, amongst which is the possibility of a change of the tariff.

13791a. Of course a change in the tariff differs somewhat from an enactment which sweeps away a business at once; and yet practically a change in the tariff may wipe out an industry?—Yes, that may be, but as I say, any man who enters into the manufacturing business, enters it subject to the changes in the tariff; whereas, you can hardly say, I think, that a man who enters the liquor business under the sanction of the State, and paying a fee to the State, can expect that his trade should be suddenly suppressed by the State.

*By Judge McDonald :*

13792a. I want to ask a question in that line : Whether the tariff question is not more on a line with the regulations of the license law, and that a man who obtains a license to sell, must not complain if afterwards the legislature makes regulations as to the hours, increasing the fees, etc.?—Certainly not. He enters a trade regulated by the State, and he must look for changes in those regulations.

*By Rev. Dr. McLeod :*

13793a. Speaking of France, in which you have lived, and Germany, has it come to your knowledge that in Germany there has been a law since the accession to the Throne of the new Emperor?—My knowledge of Germany was in 1847.

13794a. I thought perhaps you might have noticed that the new Emperor has suggested some drastic legislation attacking the drink traffic, based, it is alleged, upon the fact that the alcohol habit is fast growing in Germany. Have you noticed also that in France the alcohol habit is increasing?—I have seen a statement to that effect, but I do not recollect where I saw it. When I was in France and Germany my mind was not turned to that subject at all, so I made no observations bearing upon it.

13795a. Some persons have alleged that the drinking of wine has developed into a fondness for stronger liquors, while others allege that the destruction of the vine in France has made wine so expensive in some parts of that country, that the people have resorted to whisky and the like?—All that I can say about France is that I spent some time in Normandy, going from one little place to another, living at little hotels, and wine was always put upon the table, and I did not see any excess, nor did I see excess among the peasantry.

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13796a. I read your letter with a great deal of interest, and there is one point that occurs to me. You say at the beginning of one paragraph: "It is not unlikely that the plebiscite may be carried by religious influence or intimidation." Will you kindly explain what you mean by that?—I meant by telling people that they would suffer in the next world if they do not vote for prohibition.

13797a. Is that a campaign phrase?—I do not know quite how to put it delicately, but I think there is something that may fairly be called religious intimidation.

13798a. Is religious intimidation, as a rule, a dangerous thing?—Perhaps not, it may be all right.

13799a. It is suggested to me in that connection to ask you whether religious influences are in the main on the side of what may be regarded as orderly and safe?—Oh, yes.

13800a. Yet you seem to think that religious influence, or intimidation, may make this plebiscite successful?—Well, I do not want to say anything in the least offensive, but religious influence is apt always to run into a kind of intimidation. I think people are not so much afraid of their church, or of being denounced by the minister, as they are afraid of the penalty in the next world.

*By Mr. Gigault:*

13801a. Do you think the moderate use of wine is reprehensible, or a nuisance to the community?—I do not, because I have lived all my life amongst English gentlemen who make a moderate use of wine, and do not exceed.

13802a. If that moderate use is not reprehensible and not a nuisance to the community, do you think it would be difficult to enforce a law which would prohibit such use?—Certainly, I do not think that in a free community, especially, a law can be carried into effect which has not public opinion behind it, and public opinion will not be behind a law which attempts forcibly to suppress that which is in no sense an injury to anybody. Of course, public drunkenness is a crime which the law is right in suppressing. Anything to which drunkenness leads, as an assault, is a crime in itself, and the law is right in repressing it.

13803a. Do you think that is the reason why the Scott Act was repealed, or why it was not so well observed as laws against other crimes?—So far as I could learn, it seemed to fail to produce the intended effect, and on the other hand, produced evil effect.

13804a. Do you think that a good many people would not observe the Scott Act because it was aimed at the moderate use of liquor, which people do not consider as being reprehensible or a nuisance?—That is what I was saying, that the law was not backed up by public opinion.

13805a. You spoke of religious intimidation; when ministers pronounce in favour of prohibition, and go so far as to say that no wine should be used for sacramental purposes unless it is an unfermented wine, do you think those ministers are interpreting the Bible correctly?—Nothing is more certain I should think than that the wine of the New Testament *oinos*, was the fermented juice of the grape, and that the wine used by Our Lord in instituting the Eucharist, was the fermented juice of the grape. I know it is disputed, but on what ground, I cannot conceive.

13806a. Well, you are a learned man, and I think you can interpret that portion of the Bible as well as a good many?—The word used in the New Testament in all cases is *oinos*, which is undoubtedly the fermented juice of the grape. It is sometimes coupled with other things, as *oinos krithinos* which is barley wine or beer, but it is fermented. We also read of *oinos phoinikikos*, or date wine. In one case only is another word used in the New Testament, and that is in the account of the miracle of tongues on the day of Pentecost where the word *glucose* is used. But there it certainly means fermented wine, because it is used by the skeptics who taunted the Apostles with intoxication. It probably means a sweet wine, a wine made from a sweet grape, having something like the consistency of syrup, I suppose. But there can be no doubt in the mind of any scholar that the *oinos* of the New Testament is the fermented juice of the grape. With regard to the Old Testament, I am not a Hebrew scholar and cannot venture to say, but unless the translation is very wrong indeed, wine in most cases must mean the fermented juice of the grape.

13807a. What is the effect upon the community of a law which is openly and flagrantly violated?—The effect is to make the community lawless and regardless of other laws.

*By the Chairman :*

13808a. Have you thought out at any time a model system of licensing?—No. I do not think anybody would be competent to do that without actual experience.

13809a. Did your Temperance Union, to which reference has been made, aim at the total suppression of the use of ardent spirits, or only a regulation?—No, only to discriminate against them.

*By Rev. Dr. McLeod :*

13810a. We meet in some parts of this country the idea of vested rights in the saloon. Have you some views about that, too? Only of the most general kind—that I think when you abolish a man's trade and turn him out without the means of livelihood, you must deal fairly and justly with him. Strong language has been used upon platforms against saloon-keepers, as if they were not merely men in a trade that it was desirable to suppress, but as if they were criminals and murderers. I cannot help thinking that such extravagant language is used partly to rebut the idea that they are entitled to compensation, which of course stands in the way of legislation of this kind. It seems to me that a man who has been licensed to ply this trade by the State, is not a criminal or a murderer.

13811a. Has there not been some decision of late years in Great Britain touching this point of vested rights?—That I am not aware of.

13812a. It has been quite a burning question on the other side of the water?—I know it has.

13813a. In British Columbia, particularly, where I suppose English ideas obtain more than here, we found some establishments that seemed to exist in perpetuity?—The general tendency of English legislation is always to respect vested rights. I have been connected with a resettlement of the property of the University and of all the colleges of Oxford, under an Act of Parliament, and in that case all vested rights were very scrupulously respected. So it would involve a great deal of difficulty.

13814a. You have spoken about the violations of a liquor law as being demoralizing. From your general observation which do you think is the more demoralizing, the violation of a given liquor law, or the liquor traffic itself?—I am afraid that is rather a vague question. It would be very difficult for me to compare the moral evils of the violation of a law and the liquor traffic. It is difficult to say exactly what is the amount of the evils of the liquor traffic. In France, Spain and Germany apparently they are not very great; in the slums of London they are very great.

13815a. Take our own country, for instance?—Of course I have no desire to set arbitrary or pedantic limits to the action of the State in certain cases, which vary under different circumstances in different countries. But I would not put arbitrary limits at all to the action of the State. Let it do what is necessary. But if there was a strong necessity in Canada for a prohibitory law, I would say pass a prohibitory law. But I doubt your power of carrying out any prohibitory law, because you have the opposite system all around you. However, make the experiment; do whatever is necessary. If Canada was a drunken country, and sinking into drunkenness, then I could understand this agitation. But quite the reverse, I should say, is the case. Canada is a temperate country. Here, I suppose, in the great cities we see the worst of it. It has always been my habit to walk home to dinner, and I have seen very few drunken men in Toronto. I do not see any necessity for arbitrary legislation.

13816a. From your general knowledge of the liquor traffic, do you believe it needs to be very carefully handled?—Certainly. It is a trade which has exceptional liabilities and dangers, and is to be carefully controlled.

13817a. Have you been able to form any estimate of the relations of the traffic to the crimes that are committed in the country, and to the poverty and the undesirable social conditions that exist in many places?—It is very difficult to get at the cause of

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those things. My conviction is that crime, in the main, springs from deeper seats than either intemperance or ignorance. I recollect the time in England when we had statistics to prove that all crime arose from ignorance, and that if the people were taught there would be no crime. They were taught, and still there was crime. People often reason the wrong way; they say that a man is bad because he drinks, when in point of fact he drinks because he is bad. Some of the deeper seats of crime are bad natures and bad homes. Spain is well known to be a temperate country. I have never been in Spain, but speaking from common repute, Spain is not a criminal country. Within the pale of Islam, if they keep their prophet's law, the people drink no wine, but still those are very criminal countries. I think you must recollect that criminals are always inclined to make the best excuse they can for themselves, and the best and most popular excuse they can now make for themselves is that they have been ruined by drink. They are very cunning. I once, as a member of a Royal Commission in England, had before me the Chaplain of one of our largest jails. It was a Commission on the subject of education. I said to him, I suppose you will tell us like the rest that ignorance is the great source of crime, and that the great majority of people in your jail are illiterates. He said: "No. They enter themselves as illiterates because they think that will extenuate their offence, but I find out afterwards that they can read and write."

13818a. You think the criminals of to-day have that habit in reference to the drink traffic?—I have no doubt at all that a good many of them attribute to drink what is really attributable to their own criminal natures.

13819a. You spoke something about bad natures and bad homes. Have you observed whether the drink traffic is responsible, at any rate, for the bad homes?—It is difficult to say. Those things act and react upon each other. If you abolished drink to-morrow, I should not in the least expect that you would abolish crime.

13820a. Not even diminish it?—Yes, you might diminish it.

*By Judge McDonald:*

13821a. Pursuing a question asked by my brother Commissioner, Mr. Gigault, what is the effect upon the moral sense of the community of having an enactment upon the Statute-book which is no better observed than the Scott Act was?—Well, if we were rightly informed about the Scott Act, the effect would be very bad, because there was a habitual violation of the law, accompanied by a great deal of falsity and perjury.

13822a. Have you studied at all, the Swedish and Norwegian systems?—I have not.

13823a. I have already mentioned to you that the Inspector of licenses told us this morning that the beer and wine licenses in Toronto were found not to be a success. You will understand that these were given to places not far from licensed hotels or saloons which were allowed to sell beer and wine along with the stronger spirits. Do you consider that was a fair test of beer and wine licenses?—I should think that would vitiate the test; I should also think that the system would be exposed to difficulties at the start.

13824a. There would be a determination upon the part of the dealer to have that on hand which he knew some of his customers would wish to obtain?—In a small place where there was perhaps only one such license, if a man took out a shop license only for beer, wine and cider, I do not see why it should not succeed, and where he had no competitor in the more ardent drinks. Of course the taste for ardent drink unfortunately is strong, and it won't depart at once. You cannot conjure it out at the start.

13825a. You were asked a question in reference to the matter of religious intimidation?—Perhaps that was rather an unfortunate word. I do not want to say anything in the least offensive, but still there is religious pressure upon people, I think, apart from their own convictions.

13826a. You also spoke of the tendency upon platforms to denounce people who sell liquor under a license. Are you aware that there is also a rule among some religious communions to prevent men who are engaged in the brewing or distilling business, or in retailing liquor, from becoming members of those communions?—I am aware of that.



13827a. Now, would the tendency of such a religious regulation as that be in the line of what you called intimidation in the letter, but which you think might perhaps be called something else?—Yes, let us say pressure.

13828a. Might the effect of such a rule be to throw the traffic into the hands of a less respectable class of men?—Of course anything that makes the traffic disreputable, throws it into low hands. There is a little historical proof of that. In the reign of James I. and Charles I., you will find there were a series of statutes to suppress drinking houses. They began with a fine and they ended with flogging, showing they had got down to the lower class of men, and they failed after all.

*By the Chairman :*

13829a. I understood you to say that you objected to a prohibitory law on principle as well as because it would not be effective?—I object to no restraint of personal liberty as long as it is exercised in a way that does not hurt the public. Of course if a man is publicly drunk he hurts the public. If he commits an assault in consequence of his drunkenness, he hurts the public.

13830a. Do you think it is a sound conclusion to reach that a prohibitive law would put an end to all drunkenness?—It is dead in the face of the facts.

13831a. Probably if it would put an end to the evil of drunkenness, you would be in favour of it?—If it would put an end to all drunkenness—yes, I should be in favour of it, I suppose; although I should like to consider that point. Supposing the indulgence not bad in itself and not unwholesome, it is rather hard to cut off all the rest of the world from a natural indulgence because one man chooses to commit an excess.

*By Rev. Dr. McLeod :*

13832a. Are the evil results of drunkenness confined to the individual who suffers by his excess?—Unfortunately the family often suffers.

13833a. Is the community a sufferer in any degree?—If the community suffers, then it becomes a case for criminal law. If, as I say, a man is drunk in public, or if he commits an assault in consequence of drink, he ought to be punished.

13834a. But you are not to be understood as regarding drunkenness as the only evil that results from the drink trade?—Of course drunkenness leads on sometimes to crime, then I would punish the crime.

J. J. MACLAREN, L.L.D., Barrister-at-law, Toronto, on being sworn, deposed as follows :—

*By the Chairman :*

13835a. You are a Queen's Counsel, I believe?—I have been so appointed by various powers.

13836a. Are you a member of a temperance society in the city?—I am not connected with any local temperance society in this city.

13837a. Are you connected with the Ontario Alliance?—I am Chairman of the Executive of the Dominion Alliance, and of the Ontario branch of the Dominion Alliance; and also Chairman of the Executive of the Ontario branch of the Dominion Alliance.

13838a. How long have you been Chairman of the Executive of the Dominion Alliance?—I do not remember exactly, perhaps ten years, more or less.

13839a. Have you any objection to tell us exactly the extent of the prohibition which the Alliance desires to secure?—Well, the Alliance has formulated its policy in a resolution which has been submitted from time to time to the House of Commons of Canada. The resolution speaks for itself, and I think has not been misunderstood in the House or out of it, so far as I know.

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13840a. Perhaps you can tell us briefly what it is?—The resolution as submitted in the House was substantially that the effective remedy for the evil of intemperance is the prohibition of the importation, manufacture and sale of intoxicating liquors for beverage purposes.

13841a. The importation for sale, and the manufacture for sale, would that admit the manufacture for personal use, or the importation for personal use?—I think the words of the resolution are not “importation for sale or manufacture for sale.” I think the phraseology is “the importation, manufacture and sale of intoxicating liquors for beverage purposes.” I think that is the resolution which has been submitted by the Alliance, and which the House of Commons from time to time has declared to be the proper remedy.

13842a. I only want to get at the facts. Is the Alliance seeking for the enactment of a law which would prohibit a person from importing for his own use, or manufacturing for his own use?—I am not aware that the matter has ever come up for discussion, or that the Alliance has ever pronounced upon the subject.

13843a. I may say to you that we have had different versions of the matter presented to us by temperance men?—I am not aware that all temperance men would be agreed, at least on all the details of liquor legislation. They are a unit, however, upon the resolution which I have just indicated; and I do not think they have decided to go beyond that until they have succeeded in getting that resolution adopted.

13844a. What do you understand that resolution to mean?—I understand it to mean that in their opinion the only remedy for the evils of intemperance is to attack the liquor traffic for beverage purposes, and to extinguish that as far as it is possible to do so.

13845a. Then is it merely the buying or selling of liquor which you call the traffic?—It is the importing, manufacturing or selling of liquor for beverage purposes, that I think the Dominion Alliance and those who adopt their views, are seeking to prevent.

13846a. A person going to the United States and buying a supply of whisky or wine, and bringing it into Canada, would not be buying or selling in Canada. Is it the intention of the Alliance to prohibit that?—I am speaking of a man buying it for his own personal use?—I am not aware that the Alliance has spoken beyond the terms of the resolution to which I have referred, and I could not speak for them on that point.

13847a. Do you understand that the resolution does not prevent that?—The resolution does not prevent any legislation that Parliament may see fit to enact, but when the details of a bill come to be discussed in Committee, I have no doubt that all temperance people and all prohibitionists would not be agreed upon those details. The point to which you refer is a matter of detail that would have to be settled in committee.

13848a. I am afraid it is a matter which would prove to be a very important detail. Of course, I know that the resolution does not prohibit anything; I am only desirous of knowing what the resolution is aiming at. I desire to know what the wishes of the Dominion Alliance are; and it is rather difficult for the Commission to say what would be the effect of a prohibitory measure if they don't know the terms of that prohibitive measure?—Of course, the Dominion Alliance would not have any power to legislate, Parliament would have to do that, and Parliament has declared its readiness to enact a law on the lines I have mentioned as soon as they believe that the country is ready for it. I do not think the Dominion Alliance have gone beyond that. They are satisfied with the resolution, and they are pressing it upon Parliament and upon the country. But there are many details that, I presume, all prohibitionists are not agreed upon, as you have probably found out before now.

13849a. Do you look upon the question of importation or manufacture for private use as a detail?—The manufacture for private use, I presume, is prohibited now under our law.

13850a. Not of cider, for instance?—I presume not.

13851a. Nor of wine?—No, but I do not know that there is a very great difference in principle between one farmer manufacturing his apples into cider and another

manufacturing his potatoes into whisky, except in the degree of intoxicating power that you get in both cases.

13852a. You are showing how very important the subject is by that answer. But what I am really desirous of getting at, if we can, are the views of the Dominion Alliance, an important body in the country which is keeping this matter under agitation. I am most anxious to know what they desire to get, and we appeal to you, because we know the active interest you have taken in this matter, and how familiar you are with the whole subject?—We advocate the prohibition of the manufacture, importation and sale; and I think that prohibitionists generally, especially the more earnest of them, desire to get as thorough a measure of prohibition as it is possible to secure. When it comes to actual legislation, perhaps the measure may fall a little short of their ideal, and what concessions may be made on the one hand, will be mere matters of detail to be dealt with when that time arrives.

13853a. Do you realize that the one system might be made fairly effective, and that the other might be an entire failure?—Yes, and for that reason prohibitionists would like to have the measure that would be most effective.

13854a. Then if they did not get the full measure, the measure they did get would be a sort of experiment?—If they did not get effective prohibition at the outset, I think they would agitate to get it later, but I think the most of them would be glad to get whatever measure they can.

13855a. Then would we be correct in assuming that the Dominion Alliance has not determined the point covered by the question I put to you?—I am not aware that it has ever been determined further than that they have used the language that I have repeated to you, and which, I assume, is to be taken in its ordinary natural sense.

13856a. You know, of course, that Gen. Neal Dow is an ardent prohibitionist. He has been twice before the Commission giving evidence, and I think I do not misrepresent him when I say that he has stated that it is a well known fact that the law of Maine does not prohibit the individual citizen from importing liquor for his own use; and further, that if he had the power, he would not meddle with that provision of the law. Do you share his views?—Well, I am not in Maine. I know that the State of Maine, under the constitution of the United States, has no power to go beyond the measure which they have. As to Gen. Neal Dow's views with regard to Maine, I have no opinion to express.

*By Judge McDonald:*

13857a. Here is General Neal Dow's testimony on that point:

"Q. Is there any barrier to a citizen purchasing liquor for domestic use?—A. No, anybody can buy it. Q. How is liquor looked after in the State?—A. It can be purchased but is not offered for sale. If any is offered for sale, it is of course liable to be seized. Q. So the law does not prohibit the importation of liquor for beverage purposes by the family?—A. Not for private use. The law is against the sale, and the keeping for sale, and the illegal transportation. Q. Has any attempt been made during the last forty years to take away from the people of Maine this privilege they now enjoy?—A. No. Q. Would you favour an enactment of that kind?—A. No. The people are not prepared for it. Q. What do you understand by the term prohibition?—A. We understand by the term prohibition that drink shops are forbidden, that saloons are forbidden, and the sale of liquor for beverage purposes is forbidden, and so on. Q. Is there any restriction under your definition of the term, to be placed in the way of people purchasing liquor for domestic use?—A. No. Q. You do not favour legislation that would stop that?—A. No, because public opinion is not prepared for it. In countries like ours and England and Canada, public opinion must always be consulted. No matter how important a measure may be, it would be unwise to attempt it very much in advance of public opinion. The law is educational. Q. Are we to understand, then, that the prohibition you advocate is a prohibition of the sale?—A. Yes, and keeping for sale. Q. But not a prohibition for domestic purposes?—A. Not prohibition for domestic use. Q. You draw a line between the two?—A. Yes."

*By the Chairman:*

13858a. If importation for private use, and the manufacture by farmers of cider and wine for their own use, were permitted, would it not be difficult to prevent a very large quantity of liquor being spread over the country?—My belief has always been that a thorough measure of prohibition would be much more easily enforced than a measure

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with a great many exceptions. Every one of the exceptions opens the door to still greater abuses ; and in all my experience in endeavouring to enforce liquor laws, I have found the more stringent law the more easily enforced.

13859a. Do you know of any country in which a law enforcing entire prohibition exists?—I am not aware of any country in which such legislation exists.

13860a. Then a law going to that extent in Canada would be, at least partly, experimental?—It would be to a certain extent experimental, but it would become easily enforceable, in my opinion, for the reasons which I have just mentioned.

13861a. Have you considered at all the question of compensation to those who are engaged in manufacturing intoxicating liquors, and perhaps to those who are engaged in the trade and who have put their capital into it? If a prohibitive law were enacted, would it be right for the State to compensate them in any degree?—It would be a departure from all principles of legislation that have been recognized in this or any other constitutional country of which I am aware ; it would be a graver departure, I think, than even a prohibitory law.

13862a. Then I understand from your answer that you consider compensation should not be made?—Well, I do not know that I have ever heard of any responsible legislator suggesting compensation in such circumstances.

13863a. I was asking your opinion : I attach some value to that?—That is my opinion, and it is based upon the course of legislation in this and other countries, on the utterances of statesmen, and on some knowledge of the principles upon which legislation has proceeded in this and other civilized countries, Anglo-Saxon countries, especially. I am not aware of such a principle having been acknowledged in this or in any other Anglo-Saxon country, or any other civilized country.

13864a. Then you would not give any compensation?—It would be a novelty in legislation, and I see nothing in this particular case to justify it. In fact, there are reasons why compensation should not be granted to men engaged in the liquor traffic, which would not apply to other branches of business and trade, even if the principle were granted. The history of the traffic and of legislation in this country, I think precludes any idea of entertaining compensation in Canada, whatever might be the case in other countries.

*By Judge McDonald :*

13865a. What are the reasons why compensation might apply to other matters, but do not apply to this?—The principle of compensation for changes in the fiscal and other laws, is not admitted.

13866a. But what is the difference? You said even if it were admitted in other trades?—Almost immediately after municipal institutions were given to old Canada, the power to prohibit without compensation was introduced. In 1855 the Parliament of old Canada declared in favour of the principle of prohibition by giving the second reading to a prohibitory law. In 1860 further prohibitory measures were enacted by the Parliament of old Canada, both for Upper and Lower Canada. In 1864 the Dunkin Act was passed, providing for these restrictions without compensation. In 1878, the Scott Act was passed, granting prohibition to a certain extent, but without compensation. The Parliament of Canada has time and again declared that the only remedy for the evil of intemperance is the enactment of a prohibitory law, and that they are ready to pass such a law as soon as the country is ready for it. During the last 40 years the people engaged in the traffic have had all these warnings, and in the face of them they have gone on and taken their risk, with the knowledge that the legislature of this country had declared that the traffic would be abolished as soon as the people were ready for it. Another reason is this : On account of this uncertainty—although the uncertainty is not as great as some would like—and owing to the fact that a good many people have conscientious scruples against going into the business, there have been, in some branches of it at least, abnormal profits made on account of its precarious nature, and because the traffic does not have the countenance of a large number of the community. For these reasons I think that, even if compensation were a principle in our legislation, it would not be at all applicable to the liquor traffic.

13867a. Speaking as a jurist, do you consider that the question of abnormal profits has anything whatever to do with the question as to whether remuneration should be made?—No, but I mention that for this reason, that knowing the precarious nature of their business, these men who have gone into it and have received in some cases, abnormal profits, which have compensated them for the risk they ran.

13868a. But speaking as a jurist, do you think that could be urged at all in connection with the question of compensation?—It is not a purely legal question, it is necessarily a political as well as a legal question.

13869a. Now when was any enactment of the Legislature passed, or any declaration of the Legislature, such as you speak of made, to prevent the manufacture, or we will say, to close up breweries and distilleries?—Parliament passed such a resolution about 1884, if my memory serves me, by a vote of 122 to 40; and subsequently passed such a resolution without a division.

13870a. With the condition, however, that you have mentioned, that a law should be passed when the country was ready for it?—When the country was ready for it, and I understand the Government have appointed this Commission to ascertain whether the country is ready, and other means are being taken with the same object in view.

13871a. Do you know whether there are in existence in Canada at the present time, breweries and distilleries that have been in existence for fifty years, or possibly more?—It is possible they may have been in existence at the commencement of the legislation of which I have spoken. I am not aware of their history.

13872a. Taking them even from your point of view, do you deem it right that remuneration should be made for their plant and machinery that would be rendered useless?—Parliament has never granted it in any instance of which I am aware. When you talk about its being right, I suppose that what Parliament does is right, especially when it is shown in a long course of legislation such as I have pointed out.

13873a. We would be very glad to obtain from you a list of the matters in which Parliament has by legislation closed up a business?—Parliament by its legislation is continually affecting business.

13874a. I quite admit it, but I am speaking now of any precedent for what you propose?—I do not expect that a prohibitory law would close up the business entirely. My impression is that under a prohibitory law there would still be legitimate uses for liquors, and that a considerable quantity of liquor would still require to be used in the country.

13875a. Would the breweries and distilleries continue in operation?—I am not sure about that.

13876a. That is hardly answering my question. If the law would close up any of them, and their plant and machinery would be rendered useless, would it be right to remunerate them for that? Yes, or no, if you please?—I can only give my own opinion. My opinion is that it would be contrary to all precedent to remunerate.

13877a. Now, will you give us a precedent, for that is what we have been looking for?—There is no precedent for such compensation, I think.

13878a. Is there any precedent for such legislation?—I am not aware of any final legislation in this country.

13879a. Are you aware of any legislation having been introduced and carried through in this country declaring that any particular business must be stopped?—My impression is that even a drastic measure of prohibition such as I have spoken of would not stop the business. It would only stop the importation, manufacture and sale of liquor for a particular purpose.

13880a. The question you are asked is about the manufacture?—My impression is that the manufacture would still go on in Canada.

13881a. You believe, then, that all these breweries and distilleries will find work?—Some of them, I suppose.

13882a. Those that are simply manufacturing lager beer?—I am not prepared to say. I am not an expert in the business.

13883a. Put it this way: Is not the legislation for which you intend to ask, one that would close up a large number of these places?—I would expect it to do so.

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13884a. Then would you deem it right that the men who had those places should be remunerated for their plant and machinery rendered useless?—I think they have no claim whatever.

13885a. Do you know of any legislation that has had the effect of closing up places of that kind, and in which remuneration was not made, or in which any such closing up took place?—I am not aware that there would be such closing up under such legislation as I have spoken of. I think it would be the natural outcome of the legislation.

13886a. Then you expect it would follow?—Yes.

13887a. Now do you think it right that remuneration should be made for their loss?—I think they have no claim for remuneration.

13888a. But you know no precedent for legislation which would practically close up such places?—No, I do not suppose this would do so.

13889a. I think you told us you expected it would?—I expect that would be the result of it.

13890a. Then speaking of precedents, do you distinguish between that of the remuneration made by Great Britain in the matter of slaves, and this matter?—I will tell you my view of that. The slaves were looked upon as property, the property was appropriated in England as it was in the United States. If our Government went and took possession of any of the manufactured liquor belonging to these brewers or distillers, I would say by all means the Government ought to pay for it, just as the English Government paid for the slaves.

13891a. How were the slaves appropriated?—They were made free, they were made citizens, and the country got them. But when the slave trade was abolished, I am not aware that compensation was granted to those vessel owners whose plant and machinery had been engaged in that trade.

13892a. Had the legislature ever recognized the slave trade by licensing it, by drawing large revenues from it, and surrounding it with restrictions?—No.

13893a. Now, then, is there an analogy between the two?—Not a perfect analogy, but a closer analogy, I take it, than between liquor and the slaves, closer than between the abolition of slavery and the passing of a prohibitory law.

13894a. One that would close up breweries and distilleries?—A law that would prevent the manufacture for beverage purposes.

13895a. But if these men are manufacturing for beverage purposes only. And you admit yourself that closing up would result from such a law?—If a man is manufacturing something that can only be used for beverage purposes, and if he is cut off for that purpose alone, then I presume the effect of the law would be to close him up.

13896a. Do you think it right that that man should be remunerated for his plant and machinery?—No, for the reasons I have mentioned.

13897a. You do not think it would be right to do so?—I do not think he would have any claim.

13898a. I understand you to base that opinion upon the fact that you believe the trend of legislation has been such as to give warning to the men who have gone into that business, that prohibitory legislation might occur at some time; that at any rate the traffic itself is one of a class to which remuneration should not be given. Am I right there?—I did not mention that as one of the reasons.

13899a. I ask if I am right in stating your position?—I think the fact that the liquor traffic causes so much crime and misery in the country is an additional reason why there should be no exceptional legislation of that kind in its behalf.

13900a. Sometimes a business man tells us, If the tariff is changed, I am injured in my business, and there is no remuneration for me. Have you considered the results that follow from changes in the tariff; when you spoke of fiscal legislation, did you refer to that?—I referred to it.

13901a. In the case of the tariff, it is not a matter of abolition, it is a matter of regulation?—Nominally it is regulation, but very often it is practical abolition, just as this legislation of which we are speaking.

13902a. Is not tariff legislation more upon the footing of regulation by license law, which may have the effect of closing up places by reducing the number, or by increasing

the license fee?—Business is so sensitive to profit and loss that the object of the law has not perhaps so much to do with it as the effect or result.

13903a. Is that not often the effect of a license law, that owing to regulations limiting the number of places, or increasing the fee, many places are closed up?—The effect is more than that sometimes. For instance, when the Crooks Act was passed in this province limiting the number of places, a certain number of people had to be cut off absolutely. When a local option law is passed by a municipality, it cuts off absolutely all those selling in that municipality. That kind of legislation has been going on in this country for over 30 years, and there has been no suggestion of remuneration.

13904a. Have you known the question to be raised in that case as to compensation?—I have never heard it seriously discussed.

13905a. Is it not upon a different footing from legislation that would say to a man: Here, your business has got to be stopped?—My impression is that these local prohibitory laws are just as emphatic regarding the saloon-keeper or the hotel-keeper, as the proposed Dominion legislation would be in regard to brewers and distillers, and even more so.

13906a. You mean in their effects?—No, they are more emphatic even in their prohibitory declarations.

13907a. In what way?—They say that you shall not sell.

13908a. Pardon me, they do not say to the brewer and distiller, you shall not manufacture or sell; but they say, You shall not sell under certain conditions. But the legislation for which you are asking would virtually say, to them, You shall not manufacture?—What I understood you were referring to was the shutting up of a man's business under prohibitory legislation, such as took place under the operation of the Crooks Act in this province when the number was reduced, and a certain number were absolutely cut off. The cutting off of licenses under local option laws is more direct and more prohibitory than the proposed legislation would be with regard to distillers.

13909a. Perhaps I did not make my question plain. I did not ask with regard to remuneration for good-will, or for men who are engaged in the retail business, but I asked in reference to remuneration for plant and machinery rendered useless. You are aware that the Government requires certain plant and machinery to be put in the buildings, and I asked you whether such regulations affecting brewers and distillers might not be more upon the basis of a tariff law regulating other kinds of business, although results might follow such as are spoken of?—I do not quite seize your question.

13910a. I asked whether the result of closing is not really one that follows from the regulation of a thing. For instance, a tariff is a matter of policy, some may be benefited and some may be injured. Yet men go into various kinds of business thus regulated, and they always know when they go into them that the tariff may be changed at any time. In the same way a man who goes into the liquor business knows what to expect, because the license law is upon the Statute-book, containing limitations as to population, with provisions that the license fee may be increased, and so on. Now, those are what are called matters of regulation, are they not, though they may have certain prohibitive effects. Now, are not such things more on the basis of a tariff law, than such a law as you are asking for?—It is a regulation restricting liquors to those uses in which we believe they may be beneficial, and removing them from those uses in which they are generally harmful.

13911a. In other words: if a man is manufacturing solely for beverage purposes, and prohibition is aimed solely at the manufacture for beverage purposes, the result will be to close him up, if the prohibition is effectual?—If prohibitionists could get the legislation they want, I presume that is what they would have.

13912a. That is what you are aiming at?—That is the aim.

13913a. Of course you know that brewers and distillers were allowed to manufacture under the Scott Act?—Under certain restrictions as to sale not as to manufacture.

13914a. Are you acquainted with the statistics as to the output of breweries and distilleries, so far as they pertain to Ontario?—I have seen the returns for the whole country of the liquors that were entered for consumption, and I consider they upset a

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good many theories. The theory was that the Scott Act would do harm by preventing the use of beer and driving people more to hard drinks, to whisky and other ardent spirits. If we take one man's sales or another man's sales, we cannot come to a safe conclusion, but when we take the returns for the whole country then we can form a pretty fair average. To the surprise of a great many people, myself amongst the number, when the government returns came out covering the whole country for a term of years, it appeared that at the time when there was the greatest extension of the Scott Act in this country, there was a large reduction in the amount of whisky and hard liquors consumed in Canada, while the consumption of beer had not perceptibly decreased. I was surprised when I found that was the result.

13915a. Although one might suppose that the bulkier liquors would be put out of the way, and that has been contended by several witnesses before this Commission, yet the evidence from all the brewers, without exception, shows a greater output during the Scott Act times than before or since; although some have increased their output since?—I know in the United States the use of beer has been increasing rapidly; it was also increasing in Canada while the Scott Act was in operation. In most places it remained stationary, since the repeal of the Scott Act it has increased. But during the Scott Act period there was a large diminution in the amount of whisky and other hard drinks that were consumed.

13916a. Do you mean those that were consumed or entered for consumption?—Entered for consumption. I imagine that any petty smuggling that was done from the United States does not affect the returns for the whole country. I am speaking of the government returns, that I suppose are as fair one year as another.

13917a. I understood you to say that you did not know yourself of any country which has such a law as you are aiming at?—Of course, the prohibitory laws with which we are most familiar are those of the United States. As I understand the Constitution of the United States, it does not allow individual States to interfere with importation, so that they have not the powers that the Parliament of Canada would have in that respect. I think the individual States possess analogous powers to those possessed by our provinces, perhaps somewhat greater.

13918a. I understand you to say that you do not know of any country having such a law as you are aiming at?—No, I think we aim at a little greater perfection than is found in any other country up to the present time.

13919a. Then you do aim at preventing the importation for private use?—Yes. I am not aware of any country, especially an Anglo-Saxon country, where the evil of intemperance has been successfully grappled with as yet, and we are aiming at something better than has been accomplished hitherto.

13920a. Then the legislation you desire is something beyond anything else yet obtained in any other country of which you are aware?—I would hope to have a little better legislation in Canada than they have anywhere else. I would be pleased to see it.

13921a. That is not just an answer. You are asking for legislation beyond any legislation of which you are aware that has taken place in any other country?—Prohibitionists, I think, are asking for more than has been obtained elsewhere. Whether they will succeed in getting all they ask is another thing. When it comes to practical legislation they may not get all they ask.

13922a. You are not prepared then to put forward what your whole scheme really is?—Oh, yes, our scheme is there, and we will take as much of it as we can get.

13923a. The law at which you aim, as I understand, is one that would prevent the manufacture, importation and sale of intoxicating liquors for beverage purposes, with an exception in favour of liquor for mechanical, medicinal and sacramental purposes?—Excuse me. That would be no exception if the prohibition were only for beverage purposes.

13924a. And you would not interfere, then, with liquor needed for mechanical, medicinal and sacramental purposes?—I would not want to interfere with their use for any needful purpose.

13925a. Does your scheme go so far as to prevent the importation for private use?—In answer to Sir Joseph Hickson, I stated that I was not aware of that matter having been discussed.



13926a. I am asking what is proposed by Dr. MacLaren, who is head and front in the matter?—I think you do me too much honour, in putting me in that position.

13927a. We know your position in the matter?—Well, speaking for myself and for no one else, I look upon the liquor traffic as a very great evil, and I would like to get as effectual a remedy as we can possibly obtain. If drastic measures have to be resorted to, in my judgment the evil is so great that drastic measures are justifiable in order to put an end to it, if any milder remedy will not suffice.

13927½a. I am asking whether this legislation at which you are aiming would prevent the importation for private use?—Taken literally, the resolution which we have introduced into Parliament would, I think, cover that, unless modifications were made of it, as I stated to Sir Joseph, in committee.

13928a. I ask you what you are aiming at?—We are aiming at total prohibition.

13929a. Do you aim at prevention of importation for private use?—I am not aware, as I say, that that matter has been considered.

13930a. I am asking you to consider it now, yourself. Is the prohibition that Dr. MacLaren is aiming at one that would prevent importation for private use?—That would be determined largely by the fact as to whether such prohibition would be necessary in order to secure the successful working of a prohibitory law.

13931a. Do you consider it necessary?—It would require experience to test the question.

13932a. Then your mind is not settled upon that question?—My impression is that, at the outset, to allow persons to import it for their own use would probably be represented as class legislation, allowing the rich man to get it and shutting out the poor man. As a rule, I think class legislation is undesirable, if it can be avoided.

13933a. Well, Dr. MacLaren, I think it is not unfair to ask you for an answer, yes or no, to the question whether you seek yourself for legislation that would prevent this importation for private use?—I think my course would be governed by the result of experiment.

13934a. Then you are not prepared to answer the question at present?—My present impression is that it would probably be found necessary to prohibit importation to that extent, in order to secure the successful working of a prohibitory law, but the question is open.

13935a. Of course, success is what you would be aiming at, and if you think that would be necessary, you would favour it?—Yes.

13936a. Now, then, do you believe that for the success of such a law it would be necessary to prevent the farmer from manufacturing wine out of his own grapes and cider out of his own apples?—I would answer that in the same way.

13937a. That you fear it would be necessary, in order to make the law a success?—If it were a success.

13938a. But do you think it would be necessary?—That would be a guess, and any other person can guess as well as I.

13939a. Have you given that matter any consideration?—Experience only could test it. I have not had the experience.

13940a. Then you would not ask for it in the legislation?—I am not sure whether it would not be asked for in legislation.

13941a. You say experience alone could test it; would you ask for it in the legislation before the experience?—I think probably if Parliament were enacting a law and making these exceptions, most prohibitionists would perhaps be willing to give the law a fair test under those conditions, and if it was found that those conditions interfered with the success of a prohibitory law, they would ask for such manufacture as you speak of to be prohibited.

13942a. You will be willing to make that exception until the law has had a trial?—I think so, but that is a matter of detail.

13943a. But would you ask for such legislation in the first instance?—I do not know. The usual course of legislation is to settle the principle first, and then go into details.

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13944a. I am aware of that, but I think some of the things you speak of as details, go to the very root of the matter?—I do not know that there is much principle if it comes to that, there is no difference in principle between one man turning his apples into hard cider—intoxicating cider, if it has a certain quantity of alcohol—and another man turning his potatoes into whisky. It is not a matter of principle, it is a matter more or less of detail.

13945a. Of course you know that a man now is not prevented from using his potatoes in a way to injure himself, but he is not allowed to turn his potatoes into alcohol to make a traffic of it. But cider has never been meddled with?—Cider has been left alone, I suppose, on the principle of *minimis non curat lex*.

13946a. But you would not mention that in your legislation?—As I have said, I think that would be one of the details on which a compromise would probably be obtained. We would probably ask for it in the first instance, but it might not be granted.

13947a. So you think it would be asked for?—I think so, in general terms. There is a general resolution which shows what we ask for, which I think would cover that. But it would be a matter of detail for arrangement afterwards.

13948a. What you mean is that the legislation you have asked for when put forward in the shape of a bill, would probably ask for all these things; and if Parliament said: We will give you that, but we won't give you the other thing, you would accept the compromise, and if you found afterwards that the exception did not work, you would try to get a remedy?—If we found that those exceptions interfered with the efficacy of the law, we would try to get them removed.

13949a. Would you prevent the farmer manufacturing cider out of his own apples, or wine out of his own grapes, while allowing the citizen in a town to buy the grapes and the apples, and to make his wine and cider?—My impression is that such manufactures would interfere seriously with the effective working of a prohibitory law.

13950a. Then you think that in order to make it effective you would have to prevent private manufacture?—I think so.

13951a. You would prevent both the farmer who raised the grapes and the man who bought them, from making wine?—I think so, I am prepared to go to that extent.

*By Rev. Dr. McLeod:*

13952a. You have had some experience in enforcing liquor laws, I suppose?—I have had, both professionally and as a citizen, something to do with their enforcement in the Provinces of Ontario and Quebec.

13953a. Perhaps you will state to us in your own way the result of your experience and observation in the enforcement of liquor laws, the difficulties, and the suppression?—I have mentioned in a general way that I believe a stringent law is more easily enforced than a law with many exceptions, or a lax law.

13954a. Did you have anything to do with the enforcement of the Scott Act in Ontario?—I had a good deal to do with Scott Act cases.

13955a. What were the weak points in the Act?—The first weak point was its non-enforcement.

13956a. What caused that non-enforcement?—A good many reasons might be given for its non-enforcement. I think one of the most obvious reasons, so far at least as the Province of Ontario was concerned, was this: The Act of itself provided for an official prosecutor, the Collector of Inland Revenue, and so far as I have been able to ascertain, those officials almost universally neglected their duty and did nothing towards enforcing the law. That, of course, was a potent reason for failure. We could not get those officials to do anything.

13957a. Do you know whether these officials of their own notion neglected to do what the law provided they should do, or whether they were acting under instructions?—I cannot say what their instructions were. The statute provided for an official enforcer of the law in the person of the Collector, but I do not know that I ever knew of a Collector in this province instituting a single prosecution. I presume there may have been some cases, but I know the complaint was from all over this province that the people were unable to get the Collectors to move in the matter, or to do anything, and

stating that representations had been made to head quarters, but they were not attended to. The people, finding apparently that nothing could be done in that way, devised the plan of forming voluntary associations in many of the counties, banding together for the prosecution of the law. As the law then stood they would have got one-half the fines, and it was expected they would be able to use half the penalties imposed for violation, as a fund for enforcing the law. Just after this was done, and after a few prosecutions had been commenced, an Order in Council was passed taking away the whole of the fines from the prosecutors, so that nothing was left to these associations to pay the expenses of prosecution.

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13958a. What was done with the money ?—It was given to the municipalities.

13959a. For what purpose ?—For the purpose of enforcing the law. The result was that those persons who were prosecuting were in many cases obliged to carry on the prosecutions at their personal expense. Then again there was some defect in the Act. It was an original Act in a certain sense, and nearly all original legislation is found to be defective. It was not based upon any prior legislation here or elsewhere, and as is almost always the case with regard to such laws, defects were found in the practical working of it. The Dominion Alliance and other temperance bodies tried year after year to get amendments through the House of Commons, but they failed. Sometimes the bill could not be reached ; at other times something would be tacked on to it in the Senate which the Commons would not accept. So it went on in that way for, I think, about three years. The necessary amendments were not obtained, and putting all these causes together the people got disgusted with the law. From the want of these amendments, the want of funds, and from the officials not doing their duty, there came to be a general feeling of disgust in the minds of the people with the enforcement of the law.

*By the Chairman :*

13960a. In what year was it that the fines were turned over to the municipalities ?—In 1886, speaking from recollection.

13961a. Most of the by-laws were repealed in 1887 and 1888 ?—In 1888 and in the beginning of 1889, is my recollection.

*By Rev. Dr. MacLeod :*

13962a. Were these funds that were put by Order in Council into the hands of the municipalities, used for the purpose of enforcing the law ?—In a very few cases they were. It was given to the county council, which met only twice a year. In some cases, while the temperance people were passing the Scott Act, their opponents were electing men to the councils, and sometimes the county council were found to be adverse. In other cases there were local jealousies that prevented the money being so applied, and in many cases the councils, when they met, had a great deal of business to do concerning their roads and bridges, and they were inclined to say : We are giving that money for purposes that do not come within the scope of our municipal functions.

13963a. And the councils getting that money were disposed to use it for their usual municipal purposes rather than for the enforcement of the law ?—The money of course, was never marked, and I presume in many cases it remained unused until the Act was repealed. I think in nearly all those counties there was a large sum at the credit of that fund.

13964a. Was there any judgment of any court in Ontario which really left the appropriation of that money to the disposition of the county council ?—It was supposed when the Order in Council was passed that the money would go into the hands of the municipal council, and that they could not use it for any other purpose than the enforcement of the law.

13965a. Did any case or cases come before any Ontario court, the judgment in which left the matter optional with the municipal council ?—I remember there was litigation over such matters, and I think by this time the municipal bodies have all used that money for other purposes.

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13966a. I asked that question for this reason: I know a municipality in New Brunswick which received the fines for prosecution, and it is only within three or four weeks that the Supreme Court of New Brunswick has given a decision on an application for a mandamus to compel the City Treasurer to appropriate that money for Scott Act purposes, showing, I think, that the money was a sort of gift of good will to the city council, and that the city council could do as it chose in the matter. The judge quoted in support of his judgment some judgment of an Ontario court, I think, in a case arising, if I remember rightly, in the town of Brockville?—There was a dispute between the town of Brockville and the County of Leeds and Grenville. One of my partners was in that case, and my impression is that the only dispute there was whether the money belonged to the town or the county. The difficulty was that the council could not be compelled to give it for that purpose, it was optional with them.

*By Judge McDonald:*

13967a. Did not the Ontario Government pass legislation making the county council furnish their Boards of Commissioners with such sums as were necessary to carry out the Act?—Yes, that was done after 1887, in which year, I think, that Ontario legislation took place.

13968a. And they appointed Police Magistrates and made the county council pay them?—I was coming to the history of our efforts to get the Ontario Government to enforce the Act. Seeing these other means fail, we then made an attack upon the Ontario Government to get further legislation, and we did get a special act from the Ontario Legislature compelling their officials to enforce the law.

*By the Chairman:*

13969a. At the time you speak of when the Order in Council was passed about the fines, it was the duty of the collectors in the different districts, was it not, to proceed under the Act?—And it is up to the present time, where the Act is in force. It has been their duty from 1878.

13970a. Are we then to understand that they did proceed, that fines were inflicted, and these were taken and held by the municipalities—because the council could get no funds unless proceedings were taken?—The Collector of Inland Revenue was the official prosecutor under the Act, and there might be any private prosecutor as well. I am not aware of any cases in which the Collector of Inland Revenue prosecuted; if there are any cases, they must be very few. These cases where the fines were levied to which I referred, are cases that were undertaken either by private prosecutors or by the Provincial License Inspector.

13971a. Are we to understand that the council kept these fines in their hands and refused to give them up to pay the expenses of prosecution?—I am aware that in many counties those who were prosecuting were not able to get from the councils the moneys that were in their hands.

13972a. There could be no fines until prosecutions had been instituted, either by the Collector of Inland Revenue or by private individuals, and the council could get nothing until the fine was inflicted?—Certainly.

13973a. Are we to understand that the council took those fines after the proceedings had been commenced, and refused to apply them for the purposes of the Act?—Yes, or until, as mentioned by Judge McDonald, the Ontario Legislature came in and practically compelled the municipalities to pay over the funds that were held by the treasurers.

*By Judge McDonald:*

13974a. If the councils had all these funds, prosecutions must have been going on?—Yes, but they came from private prosecutions, or from prosecutions entered by the Provincial License Inspector.

*By Rev. Dr. McLeod:*

13975a. I think you were intending to state a few of the difficulties that were in the way of enforcing the Act?—Another difficulty was this: When the friends of the

Act were unable to get the Collector of Inland Revenue to take proceedings, and were unable to get a share of the fines to carry on private prosecutions, pressure was then brought to bear upon the Provincial Government to enforce the law. The position was taken at first that this was a Dominion law, and that Dominion officials appointed as prosecutors, should attend to it. However, a very strong pressure was brought to bear upon the Provincial Government, and they legislated, authorizing their Provincial Inspectors to prosecute under the law, appointing Police Magistrates, and providing that certain of these funds which had accumulated in the hands of the municipalities, and which it had been up to that time impossible to get from them, should be paid over on the requisition of the Board of License Commissioners, I think.

*By Judge McDonald :*

13976a. The License Commissioners made up an estimate which they sent to Toronto, and upon that the Government made the requisition, did they not?—I forget the process. But that legislation was only passed in 1887. The non-enforcement of the law had been producing its results up to that time, and the people were pretty well out of sorts with the Act, and the repeal movement had got under way.

*By Rev. Dr. McLeod :*

13977a. So you are inclined to think that all these vexatious things contributed to discourage the people, and they let the Act go by default?—I think they were enough to kill half a dozen acts.

13978a. Do you understand that the repeal indicated a revulsion of feeling on the part of the people as to prohibition itself?—Of course that is a matter of opinion, and any one person could only have a limited amount of experience. I saw a good many people in a good many of these counties, and I did not find many who were in favour of the Act at that time. Their feeling was one of discouragement, after so many failures they had become disheartened. We know the repeal of the Scott Act has been used as an argument against prohibition, and consequently the friends of that Act have asked for a plebiscite in their province, which is going to take place on the first of January, when the matter will, so far as opinion is concerned, be settled beyond controversy in the Province of Ontario.

13979a. I suppose you have observed a good deal of the effects of the liquor traffic throughout the country?—I have travelled a good deal, I think, in all the provinces and territories of the Dominion, and being much interested in this matter as a provincial question and as a legal question, I have made it my business to look into it as closely as I could.

13980a. Would you please state the results of your observations?—Well, I have been giving some of the results of my observations to the Commissioners during the past three quarters of an hour. The conclusions which I have ventured to give here are those that I have formed after observation and as a result of the inquiries which I have made, not only in every part of this Dominion, but in, perhaps, one-quarter of the United States, and perhaps in one-half the countries of Europe.

13981a. From your observation in the United States did you reach the conclusion that the drink traffic in one place is about what it is in another?—No, I found it to be different. For instance, in Maine and Vermont I found that it was quite different from what it was in other States.

13982a. To what extent was it different?—I should infer that the amount consumed per capita in Maine or Vermont is only a fractional part of what it is in the State of New York.

13983a. And you attribute that, I suppose, to the enforcement of prohibition, or the partial enforcement?—Of course, if we confined our view to the large cities, there would be an increase, I think, in both the United States and Canada. There is much more drinking per capita in cities than in the rural parts, and Maine and Vermont are largely rural. So far as I could observe, in the rural parts of both those States there is a generation now growing up that practically knows very little about intoxicating liquor.

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13984a. In Maine, and I presume in Vermont also, there are a large number of manufacturing centres?—Yes, particularly within the last few years. My home was only three miles from the American frontier, so that in the earlier years I was very frequently in Vermont and Maine, and very often for considerable periods, so that I know those two States very well. I have not known so much about them for the last eight years; I think I have only been twice or three times in the last ten years. When I visited these States I looked thoroughly into the liquor question and the prohibition question, and studied the situation carefully.

13985a. You have travelled some in Europe, you say?—I have travelled in England, Ireland, Scotland, France, Italy, Switzerland, Germany, Belgium, and most of the countries of western and southern Europe.

13986a. What did you observe in reference to the drinking habits of the people?—The vin ordinaire is, of course, drunk much more commonly than any drink used in this country. I have seen a great deal of drunkenness in France, in Germany, and in Italy and Switzerland as well.

13987a. Sometimes it is alleged that where they drink beer very freely there is very little drunkenness?—Well, the intoxicated men I saw there—I cannot say on what they got intoxicated—but they acted very much like intoxicated people elsewhere, except that I think, as a rule, they are not so quarrelsome as they are in our English speaking countries. They are more good natured, I think, in their cups.

13988a. What is your opinion of the license system in Toronto?—My impression is that the license system is more strictly enforced in Toronto than in any other city of its size that I have ever examined closely.

13989a. Have you observed that the more strictly it is enforced the better the condition of things?—Yes. I think the evils of the liquor traffic, although they are very great in Toronto, are less proportionately than in most other cities. We see less crime, poverty and misery from the drink traffic here than in most other cities of the same population on this continent. There are certain restrictions here that are very marked, and the stringency of those laws has produced good results.

13990a. These are restrictions in fact as well as in name?—They are restrictions in result. For instance, in the police court here there is usually a large number of unfortunate drunks brought up, but owing to a clause in the election law closing drinking places on election day, on the morning after each election day, there is scarcely a single drunk on the calendar. That has led me to believe, and it seems to be the general testimony, that the restrictions in Toronto are much more effective than in most places. I know they are much more effective than in most other places in this province.

13991a. That shows the result of prohibition on election day?—Yes, and I think there is comparatively little drinking on Saturday night and Sunday in Toronto.

13992a. Have you any means of knowing whether there is much violation of the license law by the licensees?—My impression is that there is not much in Toronto. There are 150 licenses allowed. After a certain number of convictions a man loses his license, and if he loses a license, another man will come in to make up the number, and he may not get another. On account of the number of licenses being limited, a license has become a valuable asset; so that the licensees have, as an additional reason for observing the law, the fear of losing their licenses, if they are found violating the law.

13993a. I suppose there are some illicit places in Toronto?—I presume there are. I think there has been a great change within the last ten years. For instance, a brewer who was before this Commission, is reported to have said that some ten years ago there were a thousand unlicensed places in Toronto, that is when we had a larger number of licensed places; and he is reported in the newspapers as having said before this Commission that there are very few unlicensed places in Toronto now; so that according to his testimony, and he ought to be a better witness than myself in that respect, there has been a great improvement in Toronto during the last ten years.

13994a. Then the lessening of the number of licenses has not increased the number of illicit places?—No, contrary to the usual result, that the more licensed places we have the more unlicensed places you are likely to have.

13995a. In Montreal there are a thousand licenses, and it is alleged that there are two or three thousand unlicensed places?—According to the testimony of the brewer I have just quoted, a similar result would have followed in Toronto if Toronto had had a larger number of licenses.

13996a. You are President of the Young Men's Christian Association?—I am.

13997a. And have therefore considerable knowledge of young men?—I come into contact with a large number of them, and have taken an interest in young men for a great many years.

13998a. Do you find that a good many young men in Toronto have formed the drink habit?—Unfortunately a good many of them have fallen victims to it.

13999a. Do you regard illicit places, dives, I think they are called, as just as likely to tempt these young men as licensed saloons?—Speaking from my personal experience of the young men that are addicted to drinking habits, and I have investigated personally a large number of such cases, I do not think I ever met with one who contracted the habit in an unlicensed place. The temptation is to go into a highly respectable place, to begin with the milder drinks, and to go on from one step to another. That has been the usual course almost without exception, of such sad cases as have come to my knowledge.

14000a. The Inspector tells us that there are 140 tavern licenses and ten saloon licenses. Have you any means of knowing whether all these licensed taverns that are supposed to be hotels, really are hotels?—Some few years ago we agitated for a still further reduction of the licensed houses, to bring the number below 150. At this time, information was sought from the police and other sources, to find out whether the whole 150 were *bona fide* hotels, and the information we received was that about one-third of them neither gave meals nor provided beds, and were not for the entertainment of travellers, as a rule. Some four or five years ago the number of licenses was reduced; our present mayor, Mr. Fleming, when he was alderman, introduced what is known as the Fleming by-law, reducing the number to 150. About two years after that, an agitation was started to reduce the number still further, and an investigation was made, and information obtained from the police and other sources, and as a result of our inquiries it appeared that about one-third of the 150 were not practically houses of public entertainment at all, but were mere drinking places, which kept the bed-rooms to enable them to qualify for a license. I do not remember the exact number now, but my recollection is that about 40 or 50 of them were alleged to be houses such as I have mentioned. I have no more recent information on the subject.

14001a. The question is sometimes asked: Given the saloon which sells liquor only, and the hotel which entertains guests and also has a bar, which is the more dangerous?—I have heard it said that there are more violations of the law in hotels than in saloons, for the reason that a saloon, having no travellers or guests, can be kept more easily under control. That information I have obtained from a number of License Inspectors and officials who are engaged in enforcing the law. I have known of cases where the young men of whom I have spoken have been in the habit of going into the hotels and drinking during prohibited hours. It has been said that by going into hotels and registering and taking a room, men can get liquor on Sundays, and I think there are many such evasions of the law. I am not aware of such offences by saloons, but so far as I am concerned, I do not know that I would make any difference between the two.

14002a. It is sometimes said that the hotel bar is the more dangerous, for the reason that it is an easy thing and not improper for young men to drift into a hotel to see a friend, and then they easily drift into the bar and contract the drink habit; whereas they do not usually visit the saloons until they have already contracted the drink habit. For these reasons some people contend that the hotel bar is the more dangerous of the two?—I think we have no saloons, properly so called, in Toronto or in Ontario. What we call saloons here are hotels that are allowed to sell liquor without the necessary accommodation for travellers. Therefore the argument you are making would not apply to the Province of Ontario.

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14003a. They are really eating houses?—Yes, but they do not entertain travellers. They have to have the same accommodation as the hotels, except as to beds, but they are relieved from keeping guests over night.

14004a. What is the result of your observations of the effects of the drink traffic, as it is carried on, upon other business interests of the country?—Well, it makes some business more lively, particularly that of the criminal lawyer, the policeman, the jailor and the keeper of the penitentiary.

14005a. How does it affect the manufacturing industries?—I only know in the general way that it interferes with manufacturing industries by unfitting men who indulge to excess in drinking, from doing their work. One drunken workingman, of course, interferes with others, because men have often to work in sets or gangs, and when a man, occupying a particularly responsible position, is unfitted by drink from attending to his duties, it prevents very often a number of others from doing their work. We are all aware of the harm that arises from drunken men in any other capacity.

14006a. Do you regard the drink traffic as reducing somewhat the wage-earning power of the country at large?—I think the country suffers far more in that way than it does from the mere loss of the money spent in drink. The thirty or forty millions that are spent for liquor are only a very small part of the indirect loss which this traffic inflicts upon the country. The loss in the earning power of the people must be many times that of the money directly spent in drink.

14007a. Therefore the producing power is lessened?—Yes, because if a man spends money for whisky, he cannot use that money in buying clothes for his wife and children, and if he does not earn, he has no money to spend for any useful purpose.

14008a. Does the drink trade then touch injuriously other branches of business?—I think it injuriously affects every other interest in the country.

14009a. Can you say something about the moral effects?—My observation has gone to confirm the opinion that is expressed by every high authority, for instance, by the Lord Chief Justice of England, and by the Premier of this province, that intemperance is the cause of about three-fourths—I think that is the figure at which most of them put it—of the crime of the country, and of nearly as large a proportion of the poverty, and I know some high authorities place it higher. The national Superintendent of Education in the United States, after careful observation, I think put it as high as 80 per cent. The drink traffic is also responsible indirectly for a great deal of the crime which it does not cause directly. Nearly all the criminals of the country are children of drinking parents, and in most cases of drunken parents. The National Superintendent of Education in the United States, Gen. Eaton, says that 90 per cent of the criminals of that country are children of drunken parents.

14010a. I suppose it is not entirely a matter of heredity, but also a matter of neglect of children on the part of parents?—It is partly hereditary, and partly education and surroundings. It is hard to say how much is due to one cause and how much to another, but combined they produce the results I have mentioned.

14011a. I suppose we are to understand you to believe that the country does not indemnify itself by getting six or seven millions of revenue as an offset to these things?—On that point I am quite prepared to accept the testimonies of such experienced financiers as the late Sir Alexander Galt, Sir Charles Tupper, Sir Leonard Tilley, or the Hon. George E. Foster, and especially the Rt. Hon. W. E. Gladstone, one of the highest financial authorities in the world—all these financiers express the view that the country loses from the results of the drink traffic far more than it receives in revenue.

14012a. Then you believe that prohibition of the drink trade, as well enforced as any other law is enforced, would be beneficial to the country commercially, socially, industrially and morally?—That is my opinion, certainly.

14013a. As a lawyer of large experience in the enforcement of law, do you think a prohibitory law is possible of enforcement?—I would have no hesitation, as an officer clothed with power, in undertaking to enforce a prohibitory law.

14014a.—We have been told that, having a long range of coast and a long international line, the smuggling would be so extensive as to bring the law into contempt



and make our last state worse than the first?—I do not think there would be much to fear from importations from the United States. Any smuggling that might take place would be comparatively slight, I take it.

14015a. Well, there would be an immediate loss of some six or seven millions of revenue?—No, I do not think there would be. The present Dominion revenue obtained from the liquor traffic by customs and excise, is about the figure you have mentioned. That is all that is derived from it at present. I assume, and I think I am right in assuming, that a considerable quantity of this liquor is for purposes that would be legitimate under a prohibitory law, that would all remain, and possibly be taxed higher. Assuming for the sake of argument that three-fourths of the liquor that is now imported or manufactured is used for purposes that would be cut off by a stringent prohibitory law, there would still remain one-fourth that might be used for legitimate purposes, and this might perhaps be taxed very much higher to prevent its being used for illegitimate purposes, so that it might be a matter of policy from a financial point of view to adopt prohibitory legislation, but that is a matter that only a Finance Minister could undertake to deal with. I think every Finance Minister of Canada, so far, has professed his willingness to undertake to make up for the loss of revenue, and I am quite satisfied to leave that question with them.

14016a. In case of those liquors that would be required for necessary purposes, do you think they should be manufactured in the country, or imported, and if manufactured, should it be done entirely under governmental control?—That, like some other matter I have been asked about here, is a matter of detail, the proper time to consider which is after the principle of the law has been adopted, and when the details come to be considered. On that point, as on some others, prohibitionists would probably differ in opinion. We have adopted this policy and we intend to adhere to it, and when the proper time comes to settle these details, we will do so in the best light we can get at the time. I think that is the wisest policy that the prohibitionists can pursue.

14017a. You do not care to have a conflict over the details in advance?—No. As soon as we get the principle admitted, then we will go into details; there may be a little give and take, but these things will adjust themselves. I have no fear about the details once the principle is admitted.

*By Mr. Gigault :*

14018a. Are the farmers of Ontario temperate usually, or do they drink to excess?—I think as a class they are very temperate. I think a very large majority of the farmers of Ontario are total abstainers, I should judge probably two-thirds of them, according to my observation and information.

14019a. In what parts of Maine have you been?—I have been in all parts of it, pretty much. My summer holidays have taken me to Portland and the surrounding places; business used to take me frequently to other parts of the State, so that I know the State of Maine pretty thoroughly.

14020a. In Portland what steps did you take to ascertain that there was very little consumption of liquor?—In the first place, I used my eyes, as in any other place. I was out on the public streets, and though I had been in Portland for weeks at a time, I saw very little avenues, if any, for the sale of liquor. Being interested in the question I have made inquiries at the hotels, and from various individuals, and I have found that the enforcement of the law has varied at different times. In Portland, for instance, I have been told that at some times it would be practically impossible to get liquor for any use other than what the law sanctioned: while at other times, when the officials were not friendly to the law, or when the enforcement was lax, liquor could be obtained for beverage purposes. The conflict there is between stringency and laxity.

14021a. Do you know how it is to-day?—I have not been in Portland for some four or five years, so that I cannot speak from personal knowledge of the state of affairs since that time.

14022a. You say that drunkenness is the cause of about three-fourths of the crime. Have you consulted the criminal statistics of Maine to see if crime has decreased a good deal since a prohibitory law has been in force there?—I do not know that I

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have seen any official statistics of Maine recently. My impression has been that there is less crime in Maine than in licensed States, and that what crime there is in Maine is largely committed by men who sell intoxicating drinks in violation of the law.

14023a. You say you have been in Italy, to what means did you resort to ascertain how much drunkenness there is there?—Well, I used my eyes, and made inquiries. For instance, in Rome I have seen a great deal of drunkenness in some of the lower parts of the city; in Naples, a good deal, and in some of the other cities also. I did just as I would do in Portland or anywhere else, if I was investigating the subject.

14024a. Did you consult the official statistics of the arrests for drunkenness?—I think I have some of the official returns from Italy. Of course the arrests for drunkenness, as I know from investigation, vary in different places and at different times in the same place, so that such figures would not be a criterion. But I myself saw a good deal of drunkenness in both Rome and Naples.

14025a. Did you consult the municipal documents in Portland to see how many arrests there were for drunkenness?—When I have been there I have nearly always obtained the official returns.

14026a. Did you compare the arrests in Portland for drunkenness with the arrests in Toronto? I do not know that I have compared them recently, but I have the figures for both. In making a comparison I would like to know the conditions under which the arrests are made in both places. The number fluctuates very much in Toronto.

14027a. Do you think in Portland they arrest people who are not drunk?—No. I am aware, however, that where there is a prohibitory law, officials are more likely to arrest for a slight offence. When they see a man drunk they arrest him, because that is a presumption that there has been a violation of the law; whereas if you see a drunken man in a licensed place it is not a presumption of a violation of the law, because he may have got his liquor legitimately.

14028a. Being a total abstainer yourself, do you think you are in as good a position to ascertain whether liquor was sold as a man who uses liquor?—In my investigation I have never resorted to some of the steps to which I have heard some other people have resorted, in trying to find out where liquor was sold, such as going down into cellars, peeping into stoves, and the like of that. I have never gone through such places in search of information, but I have taken the experience of others, made what observations I could personally, and taken all usual means to find out the facts.

14029a. Do you think those people were not doing well who went to such places in order to ascertain what was the condition of things?—It was none of my business to get information in that way.

14030a. If liquors were sold in those places do you not think it was the duty of people who were trying to ascertain the condition of things, to go to those places and see for themselves?—Yes, and I have gone to some of them myself, and these men have told us the difficulties they had in getting liquor, and the experiences they had gone through to find liquor in Portland. At other times I believe they could get it without going to such trouble; all would depend upon whether the law was being strictly enforced at the time.

14031a. Do you think that drunkenness is a cause of insanity?—I am not a medical expert; I only know what I have seen in statistics, so that my knowledge on that point would be second hand.

14032a. But from the studies you have made, do you think that drunkenness is a cause of insanity?—It is one of the causes of insanity, I believe.

14033a. You said there was a good deal of drunkenness in France and Germany. Do you know what is the proportion of insane people to the whole population in France and Germany?—I have not made a study of that.

14034a. Or in other countries?—I have not made a study of the numbers of insane people in different countries. We know that the more highly civilized a country is, the greater the strain on the minds of the people, the greater the tendency to insanity from that cause. I have no doubt that the intellectual strain upon people in this rushing age, drives a great many crazy. The higher our modern civilization, the higher, probably, is the proportion of insanity.

*By the Chairman :*

14035a. Speaking of the arrests in Portland and in the city of Toronto, I have here a report of the City Marshal of Portland for 1892-93, in which he says that on his introduction to office he was given to understand that it had been the practice of his predecessor not to bring simple drunks or cases of the first offence before the court, and he had adhered to that practice. That would show that they have been pursuing much the same practice in Portland as in Toronto, would it not?—That is for the past year; as I said, I have not been in Portland for some years.

14036a. He said that was the practice of his predecessor which had prevailed on his introduction to office, so that the practice in Portland must be much the same as in Toronto, they let simple drunks and first offenders go after taking them into custody, without bringing them before the court?—Apparently the predecessor of this Marshal was one of the lax class of officials.

14037a. Has it not been the practice in Toronto in recent years not to bring simple drunks or first offenders before the court, but to let them go?—I think I have understood that something like 200 persons, arrested for the first time, have been allowed to go without bringing them before the court.

14038a. Would you expect that the number of arrests per thousand in Portland would be as great as in Toronto, the one being under prohibition and the other under license?—Portland is a seaport, and my observation has led me to believe that there are means of bringing liquors into seaports that do not exist in inland places, so I suppose that Portland would be very much exposed in this respect. In fact I have seen evidence of that on the wharfs at Portland, and I believe that liquor was kept on the vessels in the harbour and that it could be obtained there.

14039a. Therefore there was a consumption of liquor?—I have seen some evidences of the consumption of liquor there.

14040a. What would you say of Bangor?—I think next to Portland, Bangor is the city where the prohibitory law has been least enforced.

14041a. What do you think of Lewiston?—I have the impression that Lewiston was rather better than Bangor and Portland in the way of law enforcement.

14042a. And Biddeford?—I have been a good deal in Biddeford, and the impression I formed at most times when I was there was that the law was well enforced. But I know the enforcement of the law varies at different times according to the officials.

14043a. But would you expect that under a prohibitive system such as exists in the State of Maine, the arrests for drunkenness would be lower proportionately than in the cities of Canada under a license system?—That might depend upon the people. I think Canada is the most temperate.

14044a. I am speaking of Maine as it is and Canada as it is. Now, you must admit that in Maine there has been for years a strong temperance sentiment; they have had a prohibitory law on the Statute-book for 40 years; they have had from 40 to 50 amendments made to the law, all apparently with a view of making it more effective. A member of Congress, who is an ardent prohibitionist, said to the Commissioners when they were down there, that "if the law is not a success in the State of Maine, then it is not a success anywhere." He put that in as evidence. Now, you say that the consumption of liquor is less in Maine and Vermont than in other states of the Union, and we ask you this question for information—as you have given a great deal of attention to the subject—are there any statistics of the consumption of liquor in the States of Maine, Vermont and New Hampshire?—I cannot speak as to New Hampshire.

14045a. Take the States of Maine and Vermont?—I presume there are liquor importations from adjoining states for private consumption; but for the other sales apart from that, I believe the national returns form a pretty good guide.

14046a. In what way would they form a good guide. I have been very anxious to get information of this kind, because it is very important?—I am not familiar with the details of their statistical arrangement.

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14047a. They do not make liquor in Maine, and therefore no excise duties are paid there?—No, but it is shipped for the licensed places in the towns, where it is sold for legitimate purposes.

14048a. But it pays excise where it is made?—I presume that a record is kept of the sales in those places.

14049a. No record that we could find, and there is no record of the importations for private use?—We could not expect to find that.

14050a. Then how is it possible to get statistics of the consumption of liquor in the States of Maine and Vermont?—I was under the impression that a record was kept of the sales in the places that are authorized to sell.

14051a. Do you mean the licensed liquor agencies?—Yes.

14052a. They are the only places that sell under regulations?—Yes.

14053a. Do you consider their sales an indication of the consumption of liquor in the State of Maine?—I would take them to be a record of their sales only.

14054a. But is there any record of what a person may import for medicinal purposes from Boston or any other town outside the State?—I suppose there would be no way of arriving at it.

14055a. In the city of Portland, there was certainly a large amount sold for medicinal and mechanical purposes. If the returns are to be relied upon, they sold last year \$84,000 worth in the liquor agency; but no one, I think, pretends that that consumption was really rendered necessary by the state of health of the community?—They perhaps have there, as we have in this country under restriction, and had under the Scott Act, some accommodating physicians that prescribed it freely.

14056a. They do not even require prescriptions; they go to the agency and say they want it?—I know there is great laxity in many respects, in the sales by these agencies.

14057a. But what I am concerned about is to know whether you can refer us to any source from which we could obtain figures showing the consumption of liquor in the States of Maine and Vermont. From your answer I conclude you cannot?—The only record I know about is that kept in the authorized places of sale.

14058a. You made special efforts, I suppose, when in Portland, in other ways than by asking questions, to find out whether liquor was being sold?—Yes, by special inquiries. Being interested in the subject, I took pains to ascertain the facts in conversation with other persons who were also interested in the question.

14059a. You did not try the chemists and druggists?—I did not happen to be sick when I was there, and did not require any liquor. My information as to the purchase of liquor was obtained from what others have told me.

14060a. From what you said about the Scott Act, I came to the conclusion that in your opinion the municipal councils in many instances were not really in sympathy with the law?—In some cases they were not.

14061a. They failed to give effect to it in many municipalities, although it was their duty to do so?—In many instances, yes.

14062a. The class of young men of whom you spoke, and with whom you are brought into contact in the Young Men's Christian Association, I presume are of the class who work in shops and such places?—Pretty largely.

14063a. They are the men whom you speak of as going to the hotel and getting liquor in the rooms?—Yes.

14064a. But what about the larger class of workingmen? Are they more liable to get drink in hotels than in the saloons and unlicensed places?—Well, the Young Men's Christian Association of which I speak, has a number of them as well, though the other class would probably be a majority. But the information I have received has been to the effect that those who frequent these unlicensed places are mostly drinkers who have already acquired the appetite for drink, and will have it whether or no, and get it after hours on Saturday night or Sunday. A good many of this class are not always welcome at respectable bars.

14065a. Take the class of workingmen—I am sorry we have not a better designation, because we are all workingmen in one sense—the labouring classes, who must

form the vast majority ; would the young men of this class be likely to go to a respectable hotel, or to a saloon, or to a place where liquor was being sold illicitly ?—So far as I know, the young men of all classes begin the habit of drinking in the licensed places.

14066a. But I am speaking of the hotel as distinguished from the restaurant or saloon ?—You ask whether I think they frequent the saloons or the hotels the more ?

14067a. Yes. You call them restaurants here, I believe ?—Well, the restaurants, or the saloons so called, are nearly all in the central part of the city, just surrounding the business district ; and I have very seldom seen young men of the class that you call workingmen, going in or coming out of those places, nor have I seen them going into the bar at the Queen's or the Rossin. Those of that class that I have seen going into or coming out of bar rooms, usually frequent houses up Yonge Street, or along Queen Street, and on by-streets, nominally hotels, but places that do very little entertaining in the way of giving meals or beds, but depend largely upon their bar business.

14068a. I understand you think that of those who go wrong, the larger number do so by frequenting the respectable hotels ?—Well, I judge by results. When licensed places and respectable hotels are kept open there is always a large number of arrests for drunkenness ; but when these places are closed on Saturday nights and Sundays, as I believe they are kept closed in Toronto, there are very few arrests for drunkenness. So it would appear that if people do frequent these dives, they do not get drunk. When the respectable bars are open there is drunkenness, and there is very little drunkenness when they are closed.

14069a. In your opinion, which of these three places, the saloon, the unlicensed place, or the respectable hotel, would an ordinary workingman be most likely to frequent ?—I do not think in this city they frequent the saloons at all, that is the restaurants, because the restaurants cater to the mercantile and professional classes, almost without exception. I do not think they go to the bars of the more costly hotels, because the surroundings and the people are not of their class. I think the class to whom you refer do their drinking very largely in the smaller so-called hotels that are to be found on Yonge and Queen streets, and the second rate streets of the city.

14070a. Do you think there are many hotels and licensed taverns in the city of Toronto that are not prepared at any time to accommodate travellers with food and lodging ?—I have no information more recent than that I mentioned in answer to one of your colleagues, namely, that some four or five years ago we obtained a report on every house in the city for the purpose of agitating for a reduction in the number of licenses ; and the information that we then obtained was that between 40 and 50 of the 150 licensed places in this city gave no entertainment to travellers at all. I have not obtained any reliable information on that point since.

14071a. Have you any information as to the state of things now in that respect ? I do not know that there has been any material change. My impression is that if there has been any change, it is for the better, that the administration of the license law is more stringent than it was at the time to which I referred, four or five years ago. There has been a general increase in the stringency of the administration of the law in the city of Toronto.

14072a. Do you think if we had a prohibitory law it would require a large force along the frontier to prevent smuggling ?—I think the number of custom house officers we have at present could do the work pretty thoroughly, with a few subs.

14073a. You think then that subs would be necessary. The custom-houses are far apart ?—My home in Lower Canada was a prohibition district, and although liquor was sold on the American side, there was very little smuggled into Canada ; so that so far as my observation has gone, there is no very great danger from that source.

*By Judge McDonald :*

14074a. Did the law prevent individuals from bringing liquor into that section for private use ?—No, but what did come in I do not think came from the States, because everything that came in from the States would have to be smuggled.

14075a. Had it to be brought in from Montreal and other places when it was used in homes ?—Yes, but in that part of the country a prohibitory law has been in force for

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about 30 years, and a generation has grown up that do not use liquor. There is hardly a family in the locality that uses it now. I am speaking of the township of Hinchinbrook in the county of Huntingdon.

*By the Chairman :*

14076a. If a prohibitory law were passed that allowed a citizen to get in liquor for his own use, would you put a tax upon such imports?—If persons were allowed special privileges of that kind, I think they ought to pay handsomely for them.

14077a. I ask you that question because we have had witnesses before us who considered it wrong that the Government should derive any revenue from this traffic whatever. I do not know whether that is your view?—My view is that while it is there, it is a legitimate subject for taxation, and as long as a tax would restrict it, I should be in favour of it. If it were taxed in such a way as to give it a strong foothold in the country, I would regret any such tax. It would be a mistake to adopt legislation which would give it anything approaching vested rights, or make it any more powerful than it is.

14078a. But if a prohibitory law were passed which permitted the importation and the manufacture for private use, you would still continue to tax it?—Any persons that were allowed such exceptional favours ought to pay handsomely for them, in my opinion.

14079a. You said in one of your answers—I do not know whether you meant it or not—that the loss to the country through the liquor traffic was much greater than the thirty or forty million dollars spent in drink?—Yes.

14080a. Exactly in what sense do you consider the money spent in drink a loss? If a man buys liquor he pays his money to some other citizen, it is not taken out of the country. It may be a loss to the man who buys, but it must be a profit to the man who sells?—My theory is that abstinence is consistent with, and in most cases conducive to, a state of health, and that if a man pays money for something that does not do him any good, as when he buys intoxicating liquor, in one sense he suffers a loss.

14081a. How is that?—It is a loss to the man who buys it, assuming that the drinking people of this country pay perhaps thirty million dollars per annum for drink, they give their money for that which does not do them any good, in other words, they give their money for nothing, which would be a loss to them.

14082a. But the community as a whole, I understood you to say suffered that loss. I want to know if you consider that is a loss to the community, at large. I understand you to argue that it is a loss to the person who spends his money, but as some one else must have received the money, how can you consider it in the light of a loss to the community?—I think that giving money for anything that has no value, is a loss.

14083a. Will you explain in what way, simply for our information?—Paying money for something that does not benefit the man, I take to be a loss. Whatever is spent in an unproductive manner is loss.

14084a. You mean to imply, I suppose, that the money could be employed in something more productive?—Yes, and I suppose the least productive way in which money can be employed is that of distilling. Of the money that is paid out for liquor, I presume a smaller proportion goes to the labour producing that liquor than is paid to labour in any of the other industries of the country; so that there is a very great waste in that respect.

14085a. Now, coming to the revenue question. Of course a prohibition law would lead to a large decrease in the Dominion revenue. I think you answered that you would leave the question to be dealt with by the Finance Minister. But have you considered at all whether it would be necessary to impose direct taxes, for a time at least, to replace that loss in revenue?—I think I stated in answer to one of the Commissioners that the whole of the revenue would not be lost. Assuming that a considerable part of the liquor that is now used would still be used for legitimate purposes, that part might be taxed perhaps even higher than it is now, but that is a matter of detail for the Finance Minister to consider. For instance, supposing that one-fourth of the liquor now produced would still be required for legitimate purposes, if the rate of taxation on that were doubled, you would have one-half the amount of revenue now raised from the

whole quantity. But that is a matter I am quite satisfied to leave to the Finance Minister to settle, because, as I said, every Finance Minister we have had in Canada has professed a willingness to grapple with the question.

14086a. It is not necessary to enter into a discussion of what Finance Ministers may have said. I am only desirous of getting your own view. Would you submit to direct taxation for the sake of getting a prohibitory law?—Personally I would be quite willing to submit to direct taxation. I do not object to paying my share of that revenue that is now derived from liquor; indeed I would be willing to pay a great deal more than my share, if necessary, in order to get the benefit that would accrue to this country from a prohibitory law.

14087a. I believe at one time a bill was prepared or drafted by the Dominion Alliance. I do not know whether it was submitted to Parliament. I think Mr. John Redpath Dougall stated so in Montreal when he appeared before the Commission. Do you know if such is the fact?—I do not think the Dominion Alliance ever went that far. They have stuck to the resolution.

14088a. Do you know of any temperance organization that prepared such a bill?—I think individuals have done so.

14089a. Have organizations done so?—I think not.

14090a. Was no bill sent in with the petition that went into Parliament?—I am not prepared to say. My impression is that there was not, but I may be mistaken. My impression is that something of the kind was undertaken privately, as a suggestion, or tentative matter.

14091a. You stated that Parliament had on several occasions expressed their willingness to pass a prohibitory measure?—I did.

14092a. If that is so, what restrains them from passing a prohibitory measure? If the majority of the Members of Parliament are willing to have a prohibitive measure, why do they not give effect to their views and pass it?—As I recollect the resolution adopted in Parliament, it stated that the only effective remedy for the evil of intemperance was a prohibitory law, and they were prepared to pass such a law so soon as they believed the country was ready for it. I believe they have appointed this Commission partly in order to ascertain whether the country is ready, so I have understood, and they are now waiting for the report of this Commission.

14093a. May we conclude then that although the Members of Parliament express this opinion, they were somewhat uncertain as to the views of their constituents?—The views of this province will shortly be ascertained by a poll.

14094a. I am speaking of the whole country. I am asking you these questions because there is, perhaps, no other man who has had the same experience in the two largest provinces in the Dominion?—We have accepted the challenge from Parliament to show that we are ready. Parliament has not given us the vote, but we are getting it by provinces.

14095a. Do you think the reason Parliament took that view of the matter was that they were uncertain as to the feeling of their constituents, because if that was the opinion of Parliament there was nothing to prevent them from immediately legislating upon the subject?—I am not acquainted with the inner consciousness and inner feelings of the Members of Parliament. Any one else is in just as good a position to ascertain their personal views. I have never been a Member of Parliament and cannot speak.

14096a. Do you see any reason why Parliament should not at once have passed a prohibitory measure if they entertained those views?—Apparently, Parliament has doubts as to whether the country is ready to support the enforcement of the law; that would be an apparent ground for their failing to act immediately. But I have no special knowledge apart from what is accessible to every person in the country.

14097a. Do you construe their vote in favour of that resolution as an approval of a prohibitory law?—I think one is justified in doing that.

14098a. You think that was an approval on the part of Parliament of the policy of total prohibition?—Parliament making a solemn declaration that a prohibitory law was the only effectual remedy for the evils of intemperance, making the assertion as a solemn

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statement, certainly I do not think can be interpreted in any other sense than that which you just intimated.

14099a. Are you quoting the words of the resolution?—I do not know that I am giving the exact words, but I think I am giving the substance fairly.

WILLIAM H. ORR, recalled.

*By Judge McDonald:*

14100-1a. The other day I understood you to state that a mistake had been made in supposing you had stated that you did not know any moderate drinker who had not become a drunkard, and that you had not made that statement?—It was reported I had said that all moderate drinkers became drunkards, I deny ever having made such a statement or ever having thought of such a thing.

14102a. Have you known moderate drinkers who have not become intemperate?—Yes, many; myself, for instance.

14103a. A moderate drinker of liquor?—Yes.

14104a. For beverage purposes?—Yes.

14105a. Who has not become an immoderate drinker?—Yes.

14106a. You have known of such cases?—Yes, myself and many others.

*By Rev. Dr. McLeod:*

14107a. You do not mean to say you are a moderate drinker now?—No, by no means.

*By Judge McDonald:*

14108a. You will not say then, that a moderate drinker always becomes an immoderate one?—No, I distinctly repudiate any such an idea.

LYNDHURST OGDEN, Secretary of Toronto Club, Toronto, on being duly sworn, deposed as follows:

*By the Chairman:*

14109a. I believe you are Secretary of some company?—I am Secretary of the Toronto Club, also of the Stock Exchange, as well as of the Ontario Jockey Club.

14110a. I believe you desired to say something in reference to some statement which had been made about the Club as being a prolific cause of drunkenness?—I heard that such a statement had been made by an Inspector, and I was very much surprised to hear it. I have been Secretary of the Toronto Club for 15 years, and I have never seen anything that would warrant such a statement. I have also been very often in some of the other clubs in Toronto, knowing the secretaries of those clubs, and in those places I have never seen anything that would warrant such a statement.

14111a. I do not think the Toronto Club was specially mentioned, I think it was clubs in general?—I can speak for all of them. Clubs in general were mentioned. I think that clubs are the last places that would promote offences that have been attributed to them, inasmuch as they are all composed of gentlemen of repute and standing, they are governed by certain rules, and if a man breaks those rules, he is no longer a member.



*By Rev. Dr. McLeod :*

14112a. What is the Ontario Jockey Club?—The Ontario Jockey Club has been in existence since 1881, and it holds a race meeting every spring extending over five days. My duties on those occasions are not only those of Secretary and Treasurer, but I hold the position of Clerk of the Course, that is to say, I have to see that good order prevails, and I have a staff of police to assist me. I must say that ever since 1881, during all the race meetings we have had, a case of intoxication is an exception. In fact drunkenness is nil there.

14113a. Is no liquor sold on the ground?—Yes; liquor is sold on the ground. I have always taken very good care, if I saw anybody intoxicated to have him removed at once so that he would not molest anybody else there, and I cannot recall that I ever turned out more than three people for that cause since 1881. I have also been to the Bel Air races, of the Montreal Jockey Club, and also to the Hamilton races, and good order prevailed everywhere. It is the exception to see a drunken person.

*By the Chairman :*

14114a. I understand some of the most influential and highly respectable citizens of Toronto are members of the Toronto Club?—Yes.

*By Rev. Dr. McLeod :*

14115-16a. You have a large police force on the ground on racing day?—Yes: I have 25 constables there, as well as our men. On Queen's Birthday, a holiday when everybody enjoys themselves, we have some 11,000 people, and they can take whatever they want.

14117a. Is the sale of liquor on the ground licensed?—Yes.

14118a. Who holds the license?—There is a hotel on the ground, and the liquor license is transferred to the booth for the day.

14119a. Is that hotel open on the ground all the year round?—Yes.

14120a. It is for the accommodation of the horsemen for the rest of the year?—Yes.

*By the Chairman :*

14121a. Is there anything else you would like to say?—There is just one matter. Different gentlemen who have appeared here have been asked their opinion as to whether they favoured a prohibitory law. There is one point which I have not heard touched upon. I consider that the future prosperity of this country will be due in a large measure to the amount of immigration we receive from the old country; and as an old countryman myself, I wish to say that I think, were a prohibitive law to be put in force in this country, the immigration would be greatly reduced. I do not think they would care to come to a country where they would be deprived of the privileges they enjoy in their own country. The question of direct taxation has also been suggested as a consequence of prohibition. I think the immigrants who come to this country would object to pay any part of the remuneration to those who had been in the country before they arrived.

*By Rev. Dr. McLeod :*

14122a. Did you read Prof. Goldwin Smith's letter in the *Globe* of Saturday?—No.

14123a. He makes a statement substantially like this, that most of the drunkenness in Canada is found among those who have immigrated here. Would you agree with him?—I do not think so. I am not well up in those statistics, but I do not think a man will be willing to come to a country where he cannot get what he had before.

The Commission adjourned.

LYNDHURST OGDEN.

TORONTO, 31st October, 1893.

The Commission met at 10 a.m.

Present, SIR JOSEPH HICKSON, Chairman, presiding.

JUDGE McDONALD.

REV. DR. MCLEOD.

W. H. HOWLAND, ex-Mayor of Toronto, on being duly sworn, deposed as follows :

*By the Chairman :*

14124a. What business are you engaged in?—My actual business is the milling and commission business, and I am also connected with financial companies.

14125a. It is well known to the members of the Commission that you have taken an active interest in all matters relating to temperance. Would you please tell us if you are connected with any of the temperance organizations in the city, and what position you hold in any of them?—The only organization in which I hold an office is what is called the Dominion Alliance which is a union of temperance workers for the general promotion of temperance principles, I may say that I am President of the Ontario branch of the Dominion Alliance.

14126a. Has there at any time, to your knowledge, been formulated a prohibitive bill by the Alliance?—I am really not able to answer that from memory. I believe there was a prohibitive bill formulated, but I cannot say as to whether the Alliance was responsible for the production of that bill.

14127a. How long ago is that?—Speaking from memory, I could not say.

14128a. If such a bill was prepared could you secure a copy of it for the use of the Commission?—I will endeavour to do so.

14129a. Are you in favour of a prohibitive measure as applied to the liquor traffic?—I am.

14130a. Have you personally made up your mind as to the extent of the prohibition that you desire to see made law?—I have.

14131a. Will you kindly tell us what it is?—It would have to be an equitable measure which would fall equally on all classes of the community, and make no exception, and would extend to the manufacture as well as to the sale.

14132a. In your prohibition measure, would you make exception in favour of liquors required for medicinal, mechanical and sacramental purposes?—Yes.

14133a. But you would not admit importation by private individuals of liquor for their own use?—No, you could not have an equitable law in such a case. The higher classes of the community, in case a law of that kind was carried, would have to make up their minds to meet the necessities arising from the prohibition of the traffic, and they would have to sacrifice something for the rest of the community.

14134a. Do you know of any country or state in which such a law has existed?—I believe that the law in the State of Maine, or the intention of the Act in the State of Maine, is just exactly what we contemplate.

14135a. There is a misunderstanding as to what the law is in the State of Maine. It does not prohibit the importation by a private individual of what he may desire to have for his own use?—I believe the intention of the law was to do that. In its original intention it was an equitable law, and I think any failure or weakness in it has arisen from its not being enforced equitably.

14136a. From the exception which I have referred to?—I think that feature is an objection, I do not think it was the original intention of the law. I recognize the difficulties perfectly, the difficulty of so called interference with the rights of people, people who have great attachments to social customs; but at the same, in the interest of the whole community, a law of this kind has got to be a law of sacrifice on the part of the better class, and of those who have the power of self-control, in order to achieve benefits for the rest.

14137a. Are you under the impression that the failure, partial at any rate, of the prohibitory law in the State of Maine, is due to the exceptions?—I recognize that there have been great difficulties in enforcement on that account, and at the same time I feel the greatest admiration for the people who have been able to sustain the law as they have done in face of the opposition of the enormously wealthy body comprised of those who are in the traffic, and in face of the opposition of the two great political parties, who have been endeavouring to break it down from the outset. Both the Republican and Democratic parties of the United States have been at war with the Republican and Democratic parties of the State of Maine, who have both been supporters of the Maine law.

14138a. Your impression is that the two great political parties, outside the State of Maine, have both been opposed to the law?—Yes, that the influence of all the politicians of the country has been constantly used against the continuance of that law, everybody almost outside the state has been trying to break it down.

14139a. The law in the State of Maine was enacted, I think, in 1852, and it was in operation up to 1855, when it was repealed. It remained repealed for two years, and was then put on the Statute-book again, and it has been in force ever since. Now, you say you think it was the intention of the framers of the law to prohibit altogether?—They cannot prohibit altogether, as they have discovered, and it is a little curious they did not know that from the start. But the Federal law steps in, the Federal Government regulates the inter state traffic, and the State could not prohibit a citizen of Maine from going into a neighbouring state purchasing what he might want, and bringing it into Maine. The law strictly prohibits trading in it. They may manufacture for sale, but cannot deal in it. In order to supply what might be required for medicinal and mechanical purposes, they have established a state agency which supplies the district agencies with what they require for those purposes.

14140a. General Neal Dow, who was before the Commission twice, went so far as to say that he would not advocate a disturbance of that arrangement which allows the importation by private individuals for their own use?—I think that the weakness of enforcement in the State of Maine has been because the ground was not fully covered. I think if we obtained prohibition in Canada, as I believe we will eventually, all these matters of experience in Maine we will be able to turn to our account, and we shall have an understanding between the Dominion and the provinces so that there will be no clashing.

14141a. Do you recollect any State or self-governed community that has such a law in existence as you advocate?—I have not named over the other places that have prohibitory laws. It is unnecessary, because the same general principle runs through all the prohibitory laws that exist in the different countries, and the same difficulty besets them that we have to contend with, namely, the avowed enmity, you may say, of nearly all the public forces, wherever they stand in a solus position.

14142a. In the United States the Federal law which I have referred to prevails in regard to inter-state commerce. Do you know any other country where they have a prohibitive measure in force such as you desire?—Except small industrial communities, and others where the experiment has been, I believe, successfully tried, I do not know of any other community where a prohibitory law is in force.

14143a. Will you mention some of the smaller communities which you have in your mind?—I believe there have been a good many experiments tried, and they have met with success. In the United States there are quite a number of places where they have prohibitory regulations with regard to the sale of liquor within certain areas. The comfortable and well-to-do people manage to keep the saloons and the surroundings of the

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liquor traffic away from their residences. There is a place in Ireland, a very well known community of Quakers, who have large manufacturing industries, and these have maintained a perfectly prohibitory position in the midst of the almost free sale of liquor which there is in Ireland. I refer to Bessbrook in Ireland. I had the pleasure of meeting some of the family, and in talking to me they spoke very highly of the result.

14144a. Has that community the power of keeping any one out who would not agree with them on that subject?—I presume they would have to do so in order to accomplish their end.

14145a. Do they all agree in opinion on that subject?—They have to fall in to the general rule.

14146a. It would be either agreement or expulsion?—Or self-expatriation.

14147a. Perhaps expulsion would be a better word?—I think it would be a voluntary act.

14148a. Are they permitted to have liquor in their houses for personal use?—That I could not say.

14149a. Have you met with any other place?—I have read of others, but at the moment I do not recall any.

*By Judge McDonald :*

14150a. I may call your attention to one, that of Mr. Gibson, near Fredericton?—And Pullman.

14151a. In the case of Pullman, there is a hotel where well-to-do people and travellers are entertained, but otherwise I believe there is no liquor allowed in that community?—So I understand.

*By the Chairman :*

14152a. Can you mention any other place?—I have none other in my mind at the moment.

14153a. With regard to Pullman, the property all belongs to the Pullman Company, and they can exclude any one who may not be willing to comply with their conditions. A municipal body can hardly do that. You could not do that, I suppose, in the city of Toronto very well?—It could only be done by the General Legislature, and I do not think it would be expulsion, it would be self-expatriation. If a man said, I do not like to live in a community where I cannot get liquor, of course he would go to one where he could. But that would be a personal act. If he was bound to have drink, I presume he would have to go where he could get it.

14154a. But in the case of Pullman, of course, the corporation owning the whole of the property, their will has the force of law?—No doubt.

14155a. The same state of things, I think, exists in New Brunswick, in Mr. Gibson's community?—Yes.

*By Rev. Dr. McLeod :*

14156a. It may be observed, by the way, that the law which applies to the whole county, applies to Mr. Gibson's town?—Yes. They have the Scott Act in the County of York.

*By the Chairman :*

14157a. You were Mayor of the city of Toronto?—Yes, for two years.

14158a. If I am not mistaken, you were also President of the Board of Trade?—Yes, President of the Board of Trade, and of the Corn Exchange, and of the Dominion Board of Trade.

14159a. You are very familiar with the city. Do you think there has been an improvement in the city in the matter of temperance, that there is less intemperance now than there was some years ago?—I think since the reduction of licenses there has been an improvement. During my administration there were 100 licenses struck off. I am satisfied that the saloon provides business for itself, it only makes money as it makes drunkards. I am satisfied that the saloon makes no profit on

what is called the ordinary moderate drinker. Therefore the reduction in the number of saloons by 100, reduced the number of agencies which were producing drunkards, and to that extent there has been a reduction in intemperance in the city.

14160a. You attribute the reduction in intemperance largely to the reduction in the number of licensed places?—Yes, and of course to the general temperance agitation by the churches, and all agencies that keep the conscience active.

14161a. Do you think that anything is to be attributed to greater activity on the part of the officers of the city?—I think a great deal is to be attributed to that. I think the administration of the law to a large extent makes the conscience about law breaking. If the officials are indifferent and careless about the execution of the law to that extent they make the law itself weak, and the people weak, in either obeying or desiring to obey.

14162a. Are they not much influenced by the sentiment prevailing amongst the people of the community?—No, I think the influence comes from the top. I believe that if the people are careless about the men they elect to public position, the result will be seen in the character of the public officials, which then reflects on the people and increases their indifference and carelessness. The people become accustomed to gross breaches of the law eventually.

14163a. You are speaking of the head, the chief authority?—I am speaking of all those placed in position of public trust by people, when they are careless.

14164a. Would you include the Mayor and the Aldermen?—I would indeed.

14165a. Are their opinions and views not a reflex, to some extent, of the opinions and views of the community at large?—I think that the opinions and views of the community as a whole would lead them to elect the right kind of men, if they could readily do it. I am not speaking of this community alone, but of all communities. I believe in the democratic principle, I think the people as a rule could be trusted, if they were allowed to work freely, and understood what they were doing, and the character of the men they put in public positions. Therefore, I may say in answer to your question, that officials, where they are good, do reflect public opinion. But where the officials are careless, and indifferent, and evil, I do not believe they do reflect the true feeling of the people. I have more faith in the general character of our people, so far as I know them, than to think that bad officials and bad representatives reflect the views of the people.

14166a. Do they obtain their positions through indifference on the part of the community?—Entirely so, and through political organizations, and wire pulling, and through want of knowledge of the character of the men whom they elect.

14167a. With regard to a prohibitory law, do you think it would be satisfactorily enforced unless there was a very considerable majority of the people earnestly in favour of it?—My judgment is that the people have shown at different times by their votes on the Scott Act, and local option, and other questions that they really do favour a prohibitory law. They have again shown by their votes that they are dissatisfied with the want of enforcement of the law, that they prefer not to have a law on the Statute-book unless it is properly enforced. But lying between those two facts is this other fact, that they have been careless with regard to the return of representatives to enforce the law. There is too much of that sort of thing, and it is a fault in our democratic system. People say, we will pass a law, or we will do a certain thing, and they then expect it to work itself. The efforts of the temperance people, I know on several occasions, markedly fell off. In the County of Halton they dropped nearly all their temperance organizations, they ceased to work among the young; and by and by the Scott Act was repealed because there were no longer any active temperance organizations, and the young people were not being educated. There was a feeling that the law of itself would do the work. I hold the people responsible for the enforcement of law; I do not think they have a right to say that the breaking of a law which they themselves have passed is to be blamed on anybody else but themselves. If they choose to elect proper men, they can have the law enforced at any time. When we passed that law in the city of Toronto doing away with these hundred saloons, I had communications made to me at once that they did not propose to shut up, they were going to fight the law,

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they were going to keep open. Well, I was prepared for them. I had not the slightest doubt that I would be able to enforce the law perfectly ; and on the morning that that law came into force, not one of those saloons was opened, because they knew I would enforce the law. This was in 1887, I think.

*By Judge McDonald :*

14168a. We are told that the number of licenses in 1886 was 212, and in 1887, it was 140, and witnesses have explained to us that there was a large increase in fines, owing to the fact that some of those men who had been deprived of their licenses, had to be prosecuted for selling without license ?—There were a few cases of men who went into unlicensed selling, and they were promptly dealt with and punished. Every one of those saloons shut up and obeyed the law. Illicit selling, of course, is different. I do not know that they sold in the same places, but I know that those saloons were shut up on the morning that the by-law came into force. No doubt a few of those men attempted to continue selling illicitly, but they were caught and fined, and the illicit selling was put down.

*By the Chairman :*

14169a. Do you mean that as a rule they did not attempt to continue the sale openly in the places where they had been previously ?—A few of them may have attempted to sell in the places where they had been, but they were promptly caught. It was in the second year of my Mayoralty that I got a grip of them and had the law really enforced. I had to get an additional Act of the Legislature in order to make it possible to break up illicit selling. The first year the law was not equal to it.

14170a. When you speak of public opinion being in favour of a prohibition measure, do you refer to the city of Toronto or the Province of Ontario, or to the whole Dominion ?—I was referring to the fact that over the Province of Ontario the Scott Act had been adopted to so large an extent, by so varied a community, including cities as well as counties, that it indicated a probable feeling in favour of prohibition on the part of the people. In the city of Toronto the prohibition question had never been tested except at the time the Dunkin Act was submitted, I think about 17 years ago, when of course the temperance sentiment was in a very crude state. The voting then was difficult, I remember that we voted at the risk of our clothes, if nothing worse. Everybody got their clothes pretty badly torn who voted in favour of prohibition then.

14171a. Then you refer more particularly to the Province of Ontario ?—There especially ; I am not able to speak so particularly about the others ; but I think that is the case with all of them, with the exception of British Columbia.

14172a. You think there is a large majority in favour of prohibition ?—I think it will be proven in the case of the Province of Ontario that there is a definite majority of the people in favour of prohibitory legislation. I believe the plebiscite in January will prove it.

14173a. How about the Province of Quebec ?—In the Province of Quebec the position is this : The church there wants to hold in its own hands the control of all legislation with regard to morals, and in its own parish legislation it has a power, which it exercises, of shutting off the sale of liquor. In an immense number of parishes I believe the sale of liquor has been suppressed through the influence of the Roman Catholic church. In a good many of the English speaking counties of that province, they have carried the Scott Act.

14174a. Do you think the people of the Province of Quebec are largely in favour of a prohibition law ?—I do not know.

14175a. You spoke of the relaxation which took place in Halton, after the passing of the Scott Act, in temperance work. Do you think that the efforts that were directed towards securing prohibition, had the effect of lessening or weakening the efforts put forth on the lines of moral suasion, I mean inducing men to become total abstainers ?—I would not like to put it that way. But as I said, I believe the temperance people as a whole very injudiciously allowed themselves to think that legislation would take the place of work. I believe that you cannot maintain any really good state of things in a

community except by constant vigilance, and constant earnest work. I think we have had a lesson which we shall not forget. If prohibition were carried in the Province of Ontario, I would for my part do everything in my power to keep up the constant agitation, a constant teaching of temperance principles and prohibition doctrine, more so than I have been doing, because I feel that we would have to do so in order to preserve the law.

14176a. In the State of Maine we had gentlemen before the Commission, advocates of prohibition, although they stated that they themselves were not total abstainers; and this fact led me to ask the question which I have just put to you, because it seemed to me there was a possibility of older and approved methods being overlooked in the anxiety to try the new method?—My own impression is that that has been the case, but it was a mistake; it was a mistake that I think the temperance people will not repeat after the experience they have had.

14177a. I think you stated that to give effect to a prohibitive law, you would have to have a fairly strong majority of the people in favour of it—at any rate, do you hold that opinion?—Well, you have got to have a majority to carry it; and if a majority carries it my own impression is that if the people elect the right kind of men to enforce the law, it will, as it has done in Maine, maintain itself against all opposition. If once carried I believe the thing would commend itself both in principle and in results.

14178a. Supposing a prohibitive law were carried for the whole Dominion, what would be the position in the Provinces of Quebec and British Columbia, for instance, if the people there were not in favour of it?—The position is a novel one, to some extent, as it is not usual to find opposition to any beneficial legislation. Opposition of a hurtful kind usually arises from a class of men who do not command the respect of the community. My impression is that if the law were properly administered, though the opposition might be troublesome and make enforcement difficult for a while, the result would be eventually that the law would gain in the good-will of the people, and in the course of a very short time the better elements of the people would conclude that it was the best legislation for the community at large. There is always resistance in every community to beneficial legislation, but that arises from the lowest class of the community, and is usually overcome by the better classes.

14179a. Do you think that external opinion, by which I mean the opinion of persons outside the Province of Quebec, would have great effect upon the people of that province?—I think so; besides, I think that the Roman Catholic church, when it saw the real benefit that the law procured to the community, would itself fall in and assist in maintaining it. I have the strongest opinion to the beneficial results of such a law in operation.

14180a. Do you know if the Roman Catholic church in the State of Maine is in favour of the law?—I do not.

14181a. In the event of a prohibitive law being passed, do you think that those who are engaged in distilling and brewing should receive any compensation for the loss of property which would naturally follow?—It seems a hard thing to say that I do not, on the face of it; but in studying the question closely I have always felt that every man in the business has had notice in the fact that the licenses for the sale of liquor only run for one year; before investing their money in the business they have had due notice that the business itself was of a terminable nature and not of a permanent nature; therefore their right to remuneration must be considered in that light. I think the brewers and distillers have had notice. They have a right to sell only from one year to another. They have no other method of sale than through groceries and through saloons, which also are only licensed from one year to another. For distilling, it may be they have a renewable license, but I forget how that is. But under any circumstances, they had notice before they spent a dollar in their works, that they were in a business which was terminable at any time at the will of the people, and that is not the case with any other business.

14182a. The law has insisted upon their providing certain appliances and doing certain things, amongst others the keeping of the product, in the case of distillers, for two years. What would you do with regard to that stock on hand?—With regard to

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that, I think the legislation was promoted in the interest of the distillers themselves' and that, therefore, it was of their own asking in order to improve their business.

14183a. Are you speaking of your own personal knowledge with regard to the action of the distillers, or are you merely giving expression to a sort of current opinion?—Well, it was the current opinion at the time, that the legislation was sought in that direction by the distillers themselves in their own interest. It has thrown out the smaller distillers and put the business in the hands of a few large concerns.

14184a. Have you any personal knowledge on the subject?—I really have not.

14185a. The question is, what would you do with them?—I think legislation with regard to them has created a position that would have to be considered. They have been given protection by law for a certain term of years, and that would be a special and particular circumstance, aside from the general position. In that case I should say that they have to be treated in the light of any legislation that has been made with regard to them.

14186a. I am asking your personal opinion, as you are a gentleman of large experience in commercial matters and have a very extensive knowledge of trade. These stocks exist; do you think they should be simply destroyed and no compensation given, or that they should be paid for by the State and either used or destroyed?—There would still remain the use for mechanical purposes, and other things of that kind. To whatever extent they could be used they ought to be used. But still I do not know how far the Government has complicated a simple position. If they complicate a simple position, they have to meet it. I do not know that I am bound to consider how they ought to meet it. They may have involved themselves in a question of danger. That I cannot answer for.

14187a. Do you know that under the law the distillers are obliged to keep their product for two years before it is sold.—In that case I should go into the question as to whether that was done in their own interest or not. Who were the promoters of it?

14188a. Would you ever be able to get at the history of that legislation?—I think so.

14189a. Then if you discovered that the distillers had promoted that legislation, you would say, Very well, you must sell your stocks at what we please to give you for them, if we give you anything?—Yes, except for mechanical and other excepted purposes.

14190a. On the other hand, if you discovered that the Government had acted, either of their own volition or from influences apart from the distillers, what would be your position then?—My position would be that you have always got to be honest in everything you do. It would be necessary then to consider the question of damages. There is no doubt about it. If the Government have complicated the position, they have to consider the question of damages. But that would depend altogether as to whether they had or had not. If the Government, by legislation, have entered into a bargain or agreement with these distillers that made them responsible for the continuance of the business for so long a time, of course they would become responsible for the damages that might be connected with that particular class of stocks.

14191a. Now, you have no doubt given some thought to the financial side of the question. If a prohibitive law were passed, there would be of course a considerable loss of revenue to the Dominion, to the provinces, and to the municipalities also. How much that would be, it is not possible, perhaps, at the moment to estimate reliably. How do you think that revenue ought to be replaced, by what scheme of taxation?—May I answer that pretty freely?

14192a. Certainly, we want to hear what you think?—I would say shortly that the ability to pay taxes depends altogether on the wealth of the community, no matter in what shape the taxes are levied, no matter whether they are collected by customs, or inland revenue, or by direct taxation. In the case of goods paying customs duty and inland revenue, if the people have not got the money, they have simply to do without the things altogether. It always comes to the same thing, the taxes really come out of a man's pocket. Now, if people have the means they can pay. For instance, it is not easy to pay taxes when times are hard, I feel it hard to pay taxes this year, because



I am not so flush as in ordinary years. I will give you an illustration to show where the money comes from to pay taxes.

14193a. I am desirous of knowing rather how they should be imposed, because in the imposition of taxes the object is to make them bear equally on all classes in proportion to their ability to pay. One man may be willing to pay for himself, but not willing to pay for his neighbour?—That is always the case, I can only show how taxes will be paid if you will allow me to show where they are to come from. The inability of the country to pay taxes, and the hard times which come on us periodically, I believe result from the sweeping of such an immense volume of money into the channels of an unproductive trade. For instance, take the working man. If he drinks two glasses of beer a day at five cents each, he will spend annually \$36.50. That \$36.50 represents about 45 gallons of beer, which beer is produced from about  $3\frac{1}{2}$  bushels of barley. At the present price of barley, 40 cents a bushel, the farmer gets \$1.50, and that is all he gets out of the \$36.50 that the working man pays for the 45 gallons of beer. Of course there are other articles that go into the beer, but I am speaking broadly of the profit made by the farmer on the one hand, and the brewer, the distiller and the saloon-keeper on the other hand. The working man pays \$36.50 for the product of \$1.50 worth of barley, supposing that he takes two glasses of beer a day, which is as little as any man drinks who drinks at all, as a rule. Now, that \$36.50, with the exception of a very small expenditure for labour and a few other things that go into the manufacture, represents a drawing out of the community into an unproductive trade, and away from productive labour and productive employment, of that whole sum.

14194a. Would you not except the price of the barley?—The barley is \$1.50 at present prices. Then there are the hops, and some few things of that kind. The percentage of labour is exceedingly small in the production of that \$36.50 worth of beer, extraordinarily small, in fact, when you come to work out the percentage. They may give you the volume of the output, the amount paid in labour, the number of men employed, and one thing and another, but when you come to put the whole outlay against the  $3\frac{1}{2}$  bushels of barley, or the 45 gallons of beer that working man will drink in a year, you will find it an infinitesimal amount. Now, if that \$36.50 were applied by the working man to the purchase of food that the farmer has to sell, the wool and other things that he grows, the products of the manufactures, I believe that the country would enjoy a state of prosperity that we cannot possibly obtain under other circumstances. Suppose that prohibition became law, and the workingman did not spend this \$36.50 for beer, it would be available, and would be spent in needful articles for his home. The bread, the butter, the cheese, the meat, the vegetables, the woollen clothes that it would purchase, are all directly or indirectly the produce of the farm. If we allow the manufacturers and dealers in these articles 40 per cent of their selling price for profit, the farmer would still get \$21.90, and the traders have \$14.60. But it must be noticed that the workingman would have something to show for his money, food in his cupboard, clothing for his family to the full value of \$36.50. At the same time we must remember that the farmer has sold his barley; but instead of selling it to the brewery he has exported it either in grain, or changed to beef, and has received the \$1.50 for it all the same, but with this difference, that now the money to pay him has come into Canada from abroad, and the country has in it \$1.50 more than it would have if the workingman had drunk that barley in the shape of beer. Now, turn the subject in another way. According to Mr. Foster's statement, there is something over 21,000,000 gallons of liquor drank, that is to say, taken out for consumption in the year. I think he values that—I am speaking from memory—at near \$32,000,000 as the cost to the consumer. Now, he does not take any account of the watering of proof spirits, of the amount of stuff which is manufactured in one way or another under the name of liquor. We are safe in saying that the original product has extended itself many times before it gets into the hands of the consumers, and I think that there is no doubt that the country expends at least \$50,000,000 in drink yearly, and all that \$50,000,000 is just the same as thrown into the water, except the small amount paid for the grain, for labour, and in some other small items. With these exceptions, that

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money is entirely wasted. If that \$50,000,000 were employed in productive ways, I believe there would be a basis for any additional amount of taxation which would be required to make up the loss of the seven or eight million dollars which are now derived in revenue from the liquor traffic. The prosperity which would naturally come, and must come, from the expenditure of this money in various productive trades and occupations, must immensely increase the taxable capacity of the country. I should not be afraid as Finance Minister to undertake to provide for the loss of that amount of revenue in a community which had saved from actual waste a sum approaching \$50,000,000.

14195a. I wish to get your views as to the direction in which you would impose the new taxation. You may be entirely right in your theory about the waste, but how are the taxes to be gathered, and from what class of the community? Do you know that the Dominion Government receives about seven millions a year from that source?—Yes.

14196a. The Province of Ontario and the municipalities get over \$600,000, and Quebec gets over \$500,000. In the latter case it would be a very serious question how to replace that revenue?—I should follow the example of the mother country, and impose taxation on those who are the best able to bear it. I should impose an income tax on all incomes over \$1,500.

14197a. Then you would resort to direct taxation?—Direct taxation, just squarely face it. You would then reach those who are best able to pay—that is what they have done in the mother country—then as the country advances, things equalize themselves, a penny comes off the income tax here, and a penny there, and so it works down.

14198a. Do you think the people would be content to pay direct taxation?—I think nobody is content to be taxed.

14199a. Would they be content to submit to direct taxation in order to get rid of the liquor traffic, under a prohibitive measure?—I believe if the Province of Ontario carries the plebiscite by a majority, that majority will do it with the clear understanding that those of them who are able will have to meet a deficit in the revenue. I do not think any other class of taxation will do except an income tax, and those who have the larger incomes, will have to meet the deficiency until the matter equalizes itself.

14200a. Do you think that the people of Quebec would be content to adopt direct taxation as a consequence of abolishing the liquor traffic?—I think the whole difficulty of the Province of Quebec arises out of the attempt to avoid the proper method of taxation. I think their difficulties will continue to increase until they squarely face them.

14201a. Of course we have to take people as they are?—You have got to come to that some day.

14202a. It may be a slow process, but speaking of things as they are, do you think the people of Quebec would be willing to impose direct taxation upon themselves and abolish the license system?—I think there would be a great deal of kicking among the well-to-do people, but I do not know that among the great body of the people, there would be very much opposition. I think they would feel that the tax is being properly equalized. To-day I believe the poorer people in the community, under our present system, are bearing unnecessarily an improper amount of taxation; in this very matter of liquor especially, I think they are bearing the vast amount of the taxation, and one of the effects of carrying a prohibitory law will be to bring things to a better and more stable basis.

14203a. I was asking your opinion, based upon your experience, as to whether you thought the people of Quebec would be willing to resort to direct taxation?—I do not believe any people would be willing to do it until they come face to face with the necessity for it, and I think the people of Quebec would be just as unwilling as anybody. I recognize to the fullest extent the unwillingness of people to take hold of a bull by the horns, they want to get hold of him in some other way. I believe there would be a fight on the question, but I believe it has got to be fought out, and I don't care whether it has to be fought out on a prohibitory law or anything else. The true system of taxation has got to be adopted some time. The people gain nothing by hiding taxation from themselves.

14204a. Have you had any experience of the feelings of French-Canadians on the subject of direct taxation?—Well, I must acknowledge that reports with regard to the Province of Quebec are to the effect that the people there are strongly opposed to direct taxation; but as I said before, I believe their whole difficulties arise from their disinclination squarely to meet the situation face to face.

14205a. As I said before, you must take things as they are. You have heard that as a people they are very much opposed to direct taxation?—I have heard so.

14206a. Are you in favour of levying a single tax on land?—Not at all, I do not believe in it. I think things equalize themselves. If you put the whole charge on the ground, the man who owns a house on that land has got to get out of the house and the rental, the amount of the taxation. I do not believe it would lessen the burden of taxation on the poor. The way to lessen that is to put a tax up to a certain limit on income. Find out what is the line of income for the wage-earner, and I think that both he and the producer on the farm should be protected to the amount of what might be called the wage-earners' limit, and that neither of those classes should be touched by taxation up to that amount, because their interests are for the general prosperity of the country.

14207a. You spoke of the farmer exporting his barley. Suppose the home consumption for malting purposes ceased, to what country would he export what is now being consumed in that way?—The great bulk of the barley to-day is being used for food, the price is down to a food basis, and it is going to the old country, and being used in this country for feeding purposes. The maltster has followed the price down, and he is not giving more than the feeder for it to-day; he is getting his malting barley practically at feed prices.

14208a. What are they feeding with it?—Feeding cattle and horses. The uses of barley in the country for malting purposes are nothing like sufficient to employ the produce of that grain.

14209a. Is there no other market?—The same thing is going on to a large extent in the United States, because they have increased the production of barley to an enormous extent over a large area, and the price has fallen very low.

14210a. Here in Canada the decrease in price has been brought about by the limitation of the market, has it not?—Yes, and by the fact that there is more barley produced than is required by the maltsters.

14211a. Required under the limited market?—Yes, and even now, if you threw the United States and Canada together, there is more barley than both countries need.

14212a. And there is a hard line between the two as regards fiscal matters?—Of course that adds to the difficulty.

14213a. If the barley that is now used for malting purposes should cease to be so used, there would still be a limited market, would there not?—I do not think barley could be lower than it is to-day.

14214a. I am speaking of the consumption?—Barley is a splendid food, and it will be used for feeding cattle.

14215a. Feeding it to cattle is going on concurrently with the use for malting purposes, and if the quantity used for malting purposes ceases, the consumption would be reduced, for a time at least, by the extent to which it had been used for malting purposes?—That has been the case more than it is now. I can remember when nearly all the barley, except damaged barley, was used for malting. Now, it is not the case. If we had the American market, I presume one-half of our barley would still be used for feeding purposes, because the Americans themselves have so greatly extended their growth of barley.

14216a. What was the quantity exported to the United States before the McKinley law came into force?—I am not able to say without the figures. It is very much less now.

14217a. If you had a prohibitive law, would not the market for barley be still further limited?—Yes, to the extent of barley for making beer in Canada. But I do not believe it would result in a reduction of the price below the present standard.

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14218a. You do not think a further reduction in the consumption for malting purposes would lessen the amount the farmer gets for his barley now?—No, I do not, because I think it is at the lowest point at which it can be profitably produced. I think when the price falls below 40 cents a bushel, the production will stop. The farmer is only getting about \$10 an acre at the present time for what he produces in the shape of barley.

14219a. What do you suppose he can grow on barley soils in place of barley?—The main thing in this country is to produce crops that pay. We are paid in our production of stock and cheese, and if we improved the quality of our butter, we could make money in that.

14220a. If the farmer had to discontinue the production of barley, have you made up your mind what he would produce in place of it?—He has got to go into stock and fruit. The Province of Ontario is very favourably situated for producing both stock and fruit, lying as it does between these lakes, and it is a great waste of the soil of the western part of this province to use it for less productive things than stock and fruit.

14221a. I suppose barley a few years ago was a fairly profitable crop to the farmer?—Yes.

14222a. What about hops?—Hops is a small article of production in Canada.

14223a. Do you remember how much brewers pay for hops?—I believe they import the best qualities of hops they use.

14224a. Do you happen to remember what they pay for the home article?—No.

14225a. Does Canada export any hops at all now?—I have not looked at the figures lately. I know there was no exportation of any consequence the last time I was looking at them.

14226a. Do you think there would be a good deal of smuggling under a prohibitive system?—I think there would be an attempt to break the law as long as there are inducements, just as all laws are broken more or less.

14227a. The inducements to break the law at present are, what?—The inducements at the present time are very large. There is great profit in smuggling liquor, as you have seen down in Quebec, where there is a regular system which it requires an armed force to prevent, the incentive being a very large gain. You would have nothing worse under prohibition.

14228a. How would it be under a prohibitive law?—There would be no worse efforts to break the law than have been recently put forth in the Province of Quebec. There were armed vessels engaged in smuggling, which had to be put down by armed force. There would be nothing worse under prohibition.

14229a. The United States frontier is a very long one; it would require considerable force?—It will require probably the punishment of a few people, and people don't like being punished.

14230a. Have you given any attention to statistics in regard to the traffic in the State of Maine, or do you attach any importance to them as evidence of the results of different systems?—Yes, I attach considerable importance to them, but I can tell you that unless you look particularly into them, you are very likely to be misled. For instance, it was currently stated throughout this country that there was a very large number of murderers in jail in the State of Maine, and this statement was published as showing that the murderous instinct was very great in a prohibition country; but those figures did not state the fact that people were not executed for murder in the State of Maine, and consequently the number that were convicted for that crime had been accumulating. That shows the way that statistics are dealt with.

14231a. Take the statistics of the arrests and convictions for drunkenness?—Well, convictions for drunkenness depend so largely upon the manner in which the law is enforced, that they also may be misleading. In this very city you must not rely too much on statistics for drunkenness, for this reason, that in the wisdom of the city council a sort of understanding was arrived at a couple of years ago that drunken men should not be arrested, that they should be dealt with at the stations, or should be let go.

14232a. You do not mean they were not to be arrested, but that they should not be taken before the court?—I think they were not to be arrested, because they were to

be allowed to go home, or to be taken home. The result has been that statistics show very much less drunkenness.

14233a. I want to say to you that witnesses have testified here that all these are included in the number of arrests reported by the police department, although power has been given to the sergeants to allow them to go home without being brought before the court.—That may be so.

*By Judge McDonald :*

14234a. The Police Magistrate told us that on the charge sheet laid upon his desk, these all appear on the minutes?—The understanding is this, that these men shall not be interfered with more than necessary, that they shall be allowed to go home, and the general implication, as I have it, is that there is not the same severity in the treatment of drunkenness which is not openly exhibited on the streets, the parties are allowed to go home, they are not arrested.

*By the Chairman :*

14235a. We have it in evidence that this has been the custom in Toronto for years? Then I would say that if the arrests were no more than they were before that position was taken, I should consider there was an increase in drunkenness in this city, because the general intention was as far as possible to avoid making these arrests.

14236a. The Chief Constable has stated to us that such had always been the system; but he qualified his statement in this way, he said if a man had valuables upon him, the police would take him to the station because there was always danger of his being robbed, but that if he was known, and if he was making peaceably towards his home, he would be assisted there. I may say to you that precisely the same evidence was given in the city of Portland by the City Marshal. I have here his printed report in which he says that upon taking office he found that the practice of his predecessor was that where certain cases of drunkenness, for the first time, occurred, the parties were let go in the morning, and the Marshal approved of that regulation and intended to follow it. The practice is the same as that which prevails in Toronto. Would you expect that the ratio of arrests in the city of Portland, where the Maine law is in force, would be larger or smaller than in a city like Toronto?—It would depend entirely upon the government in power at the time, whether there was a definite enforcement of the law. I remember when I was in authority, I found the same men arrested from time to time because they were determined to break the law as long as they could; and I just hammered them, and the point was to see which could hold out the longest. They were bound to break the law, and as fast as they did so I caught them. I think, under a strict enforcement of the law, there would be evidence of that enforcement in fines and prosecutions.

14237a. The arrests in cities we can get, but when we come to the matter of convictions, they are not to be got everywhere. In some places we find commitments to jail. Commitments to jail and convictions are separate things. My object in asking you the question was to get your opinion as to the effect you think the Maine liquor law in cities should have upon arrests for drunkenness. Have you at any time made a comparison of the statistics of arrests for drunkenness, commitments to jail and so on, in the State of Maine, with those of Ontario, or any other community under a license system?—So far as I have looked into them, taking the general effect all over the country where all licenses have been suppressed, I have found there was a reduction in drunkenness, and consequently in the committals for drunkenness. I also recognize the fact that the political forces of the whole United States are opposed to the Maine law. In that State there are certain outposts which are always under attack, and which, under any state of enforcement, will show large evidences of the attempted enforcement. All the rest of the country is at war with prohibition in the State of Maine, and I do not consider it is a fair thing to take a city like Portland, which is an outpost under attack the whole time, and hold it up as evidence.

14238a. What do you say of Bangor?—Bangor is a sea port, and is probably worse than Portland.

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14239a. It is the heart of the State?—Yes, but vessels come right in from the sea.

14240a. What do you think of Lewiston?—I am not able to speak about Lewiston; but I know that the general effect over the whole State of Maine was a great reduction in the volume of the jail population as compared with that of other States.

14241a. Is it your impression that the Maine law has been efficiently enforced in cities and large towns?—It has at times; at other times, owing to that state of war, which I speak of, with all the rest of the country, it has been exceedingly fluctuating, but on the whole I think the enforcement is marvellous under the circumstances, with the whole legislation of surrounding countries aimed at that particular law.

14242a. The States bordering on Maine are New Hampshire and Vermont. Have they not had prohibition to a large extent in both Vermont and New Hampshire?—Vermont and New Hampshire have had prohibition, but it has not been well enforced. In New Hampshire particularly, I believe the State has been in the hands of a political party which has taken pride in permitting the law to be violated.

14243a. Then if we come to the Province of New Brunswick, has not the Scott Act been in force in the counties bordering on the State of Maine?—I think that is the case.

14244a. You spoke of prohibitory legislation reducing crime; did you mean all offences?—I meant the grosser offences, and more particularly the chief results of the liquor traffic, that is, the miserable poverty and wretchedness of the people who support it. A great many drunkards never commit gross crimes against the laws of the country, but their crimes are chiefly committed against their own families.

14245a. Have you paid any attention to the number of commitments to jail in Scott Act counties prior to and during the time the Scott Act was in force, and subsequent to it?—Yes.

14246a. What is the result of your observations?—I remember going over the figures for the Province of Ontario, and the results were very satisfactory.

14247a. As regards the general commitments to jail?—Yes, the figures I saw at that time were exceedingly satisfactory in that respect.

14248a. Did they show a reduction of the committals?—Yes.

*By Judge McDonald:*

14249a. I think you stated that the State of New Hampshire was in the hands of a party which tried to make the law a non-success?—The political leaders boasted of their intention.

14250a. When the sentiment of the people in that State is such that they keep that law on the Statute-book, how do you account for the State being in the hands of such a party, and not in the hands of the friends of the law?—We have had the same experience here with our political parties. I myself belong to no political party. Ever since the Canada First Party ceased to be an active organization I have been independent, therefore I have been in a good position to judge. Now, I say deliberately that in the intervals between general elections, we have had the unanimous consent of active temperance workers in carrying out some particular line of action, as the election of an individual to a position where he could favour the enforcement of the law; but when election time has come, those extraordinary influences that are called party influences, have been of such power as to draw away those men from their real convictions, and to bring them into line to vote for party candidates on one pretext or another. Public sentiment in regard to small questions is inactive in the people who belong to political parties.

14251a. I quite understand what you mean, but it is difficult to see why a majority favourable to the law should select as its candidates men opposed to it?—I have been in public positions where men acting with me have often been obliged, in an answer to the public demand, to take a certain position on public questions which they personally, in their own hearts, did not believe in. I say their action for that side was of no benefit to it, their position was a negative one. But in spite of the lukewarmness of temperance men I say that an examination of all the results of prohibitory acts shows a reduction of the amount of liquor sold, and of the drunkenness and crime resulting therefrom. That is my definite conviction, no matter whether the law is enforced or not.

14252a. I asked if you could account for the fact that in a State like New Hampshire with a large majority of sentiment in favour of the law, the people still select as party candidates men who are opposed to that law?—Simply because the temperance people in New Hampshire are better Democrats than they are temperance men.

14253a. But is not New Hampshire under the control of the Republican party?—Yes. At any rate this state of things has been going on, and the people have deliberately elected men from time to time who have been really at heart opposed to the enforcement of the law.

14254a. You mean they have elected them on other issues?—On other issues. For instance, the party leaders will come and say, there is an important issue, never mind prohibition, never mind temperance this time; what we have got to do is to get the country out of the hands of those awful scoundrels, the Liberals or Conservatives, whichever party are in power. That is the main question, and you have got this question now, and we will get at prohibition some other time. But in the mean time you have got to face this issue and vote for the party straight.

14255a. Do you mean to say that that state of things prevails in all countries?—I mean to say that the party system of government is a fearful fraud as it stands at present, with regard to expressing the general opinion of the country. The country is governed by political clubs, and machines, and rings; it is not governed by the people, and the people will never have the government of the country in their own hands until they vote independently of party.

14256a. Now, we find that in Maine, owing to the difficulties you have pointed out in getting the political parties to enforce the law, another party has been organized called the third party or prohibition party, and I think that a gentleman who gave evidence before us and who belonged to this party, told us that they had only polled some 5,000 votes in the State. Now, when earnest temperance men in Maine have taken that action and formed a party to carry out the enforcement of that law, can you tell me why the temperance men of the State have not gone with them?—Well, I believe there has never been a successful party formed on only one issue. My first feeling was to share in the formation of a separate party to accomplish a certain object, but after careful study, my conviction of late years is that the public mind has got to be reformed, and men have yet to exercise conscience with regard to those whom they wish to elect, and they can exercise that within their general convictions with regard to public affairs. It is not necessary to create a new party, but it is necessary to have conscience with regard to the working out of the old party. It is not that the people lack conscience, or lack the desire for more moral representatives; it is that after they have expressed their feeling, they elect men whom they know are not suitable to carry out their will.

14257a. We find in Maine a party formed for that purpose?—I think it is a great mistake. In public matters there are always a number of questions that must be considered together, but the question of conscience should be first, and then these other matters will right themselves. Therefore, forming a party on the line of one thing, is a mistake; I do not believe it will work.

14258a. We are told that some 30 years ago, when the need came for it, this very Republican party arose in the United States to deal with a matter which neither of the old parties would deal with; and that party came into power and remained for 25 years. It is contended now that the Republican party has survived its usefulness. In the western part of the United States the Populist party has come up and has carried several States. It is said that as the necessity increases it brings to the front men who form themselves into a party to carry out a necessary reform?—Going deeper into it, I do not think that the mere name makes any difference. The two divisions of men are Conservative and Radical, and I think a Reform party in power gradually becomes conservative, and then in its reformation, it simply returns to its radical position. The Populists and these other parties that are springing up, are simply the original true radical elements, as it were; and these radical parties eventually resolve themselves into a reform party again, and in a purer shape, which assumes the government, or forces a Conservative party to carry out reforms which they gradually lead the people to

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agree to. The same with the old Abolition party in the United States. The Republican party was never an Abolition party, the abolition of the slaves was a war measure adopted by Abraham Lincoln. The Abolition party was the radical element which had been gradually leavening the country, and which resulted in gathering together all these broken elements which formerly belonged to the old Whig party. The Abolition party was really a reformation of the Whig party.

14259a. In the light of the experience in Maine with reference to political parties, have you considered what would be the result in Ontario, supposing the parties to be in the same position as they are in Maine, and the effect the influence of the other provinces would have upon Ontario?—We are working for prohibition for the Dominion, and it may be necessary for us to go through the same miserable fight that Maine has to go through against the other States. We are working for general prohibition. In Maine the result is that practically both parties support prohibition, no other party could exist, and that is the reason the law has been maintained. Prohibition was repealed in Maine shortly after it was carried, and then it was re-enacted and has stood ever since. In great reforms like this there is a battle before there is a victory. My impression is that the moment prohibition is carried in Canada, both parties will take hold and support it. It will be a Dominion measure, and we shall not have the same difficulties they have had in Maine where they are not able to prevent importation, because our law would be for the whole Dominion.

14260a. You are in hopes that though Quebec and British Columbia might be opposed to it at first, eventually they would fall into line?—We will eventually get them. If it is a true reform it will gain the whole country, like all other true reforms.

14261a. Then do you consider that prohibition for the Dominion as a whole is practicable at present?—I do. I believe it might have reverses, just as it has had in Maine; but I believe that once the people took that position they would maintain it. As in all great reform movements, there is alternate defeat and success. I have never viewed our success in that direction so far, as anything but temporary. The result has been mainly educational.

14261½a. Then you are not afraid that in Canada the political differences that would arise would lead to this matter being ignored for the purpose of securing other political successes?—I am sure the result will be that both parties will become favourable to prohibition.

14262a. Why have they not done so in New Hampshire?—New Hampshire is a very small state, and the outside political influences have been very bad. I was talking about it a short time ago in New York, and they told me the political influences were exceedingly corrupt in that State.

14263a. So far as we have had experience, the effect of party influences upon the enforcement of prohibition has been bad?—Yes, I think so. Any great moral reform means a continued fight for a long time.

14264a. Do you consider the state of things in New Hampshire hopeful?—I do. It means a return of the people to obedience to conscience. They have the right men if they will only elect them. Some day they will surely take true men to put in positions of authority.

14265a. You have spoken of success in Maine. Now, the law has been in force in Maine for forty years?—Yes, and I think it is a most marvellous thing that they have maintained it so well in spite of all opposition.

14266a. It has been maintained—is that all you hope for?—I think the way it has been enforced is a marvellous thing.

14267a. After forty years would you not have looked almost for perfection, if there can be such a thing?—I see the State of Maine standing as an example for the whole United States, and other States are following her. I believe that the Americans are not far from some very stringent liquor legislation, because they are beginning to feel now that the liquor interest is acquiring a dangerous power. The government of the large cities is falling actually into the hands of the saloon-keepers, and even the Bench to some extent is being filled by men of the very lowest class, who are selected by the liquor interests. If you speak to Americans about it, they will tell you that something



has got to be done, because the corrupt government of the large cities cannot be allowed to go much further.

14268a. Then you see hope for stringent legislation in the direction of prohibition?—I see Maine as it stands to-day, a light for the whole nation, in spite of everything that is done and said against it. The press is generally supposed to express what is called the opinion of the country. The press has been, as a rule, against prohibition, and everything that is said against it is published in the newspapers, while the benefits of it are not so generally published. Now, there is a sort of false appearance of public opinion against prohibition. You will find in the vote of this province that the true public opinion is in favour of prohibition in spite of the false gloss that the press puts on the question.

14269a. Have you not found in all questions of that kind, that taking the press as a whole, it has been a fair reflection of public sentiment?—No. The press at the present time is merely a commercial undertaking, particularly as it exists in the States.

14270a. And what is it in Canada?—Speaking of Canada, I say deliberately that the press is to a large extent a commercial undertaking. It has got to be conducted on commercial lines with a view to make it a commercial success, and in order to do that they have got to get paying advertisements. It is not in the nature of mankind to throw away the interests of their business by taking up an extreme position which they claim has not yet become so pressing as to necessitate their sacrificing themselves.

14271a. If there is, as you say, in Ontario this public sentiment in favour of prohibition, surely the public press would be a reflection of that sentiment, and it may have had something to do with forming it?—I claim that the religious press, as far as it goes, is a truer exponent of the moral sentiment of the community, because the great body of the people in Canada are at all events, nominally religious, they attend some church. The religious press represents the real moral sentiment of the community, and the great body of the religious press support prohibition. The secular press of the day is a commercial undertaking. They do not consider it necessary for them to sacrifice themselves as they would have to do in taking up a position in favour of prohibition. I have been boycotted for this reason, and I know what it costs to be a prohibitionist. A man is hurt in a hundred different ways when he takes an advance stand on this question. I say the press of the country, as a commercial undertaking, do not consider that the time has come for them to make a personal sacrifice in taking up the advocacy of prohibition.

14272a. If the public sentiment of this country is in favour of prohibition, how can there be the boycotting of which you speak?—Because prohibition is opposed to a powerful interest. The money of the country is gradually getting into the hands of those who are producing beer and whisky. You will find them at the head of all big enterprises, they are represented on every sort of board. There are representatives of these great breweries and distilleries on all kinds of enterprises. If you fight the battle for prohibition, you have got to submit to all kinds of opposition. Unless there are men who are willing to take a radical position, to sacrifice themselves, and to suffer in these ways, you can have no temperance legislation. The moderate men in the temperance party do not occupy what I consider to be an effective position; I give them credit for their belief in the matter, but temperance legislation is always promoted and forced by the agitation of what may be called the radical party; and without the radical party, you have the saloon-keepers in control in Canada just as they were in New York.

14273a. When you say temperance sentiment, you mean total abstinence sentiment?—I mean those who are in favour of prohibition. There are a good many men who believe in their conscience that prohibition is a good thing, but who are not total abstainers and who are not willing to suffer any unpleasant consequences.

14274a. You spoke of smuggling liquor into the Province of Quebec, and of its having to be put down by armed force. Do you know to what extent it has been put down?—It was all reported in the public press last year.

14275a. Is it continued now to any extent?—I believe they have eventually put it down.

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14276a. Liquor may be manufactured in Maine and imported into the state; in this respect, do you believe that proportionately there would be no greater difficulties under a prohibition law for the whole Dominion than there are in Maine?—I do not believe there would. I think if the law extended over the whole country, it could be more easily enforced.

14277a. Would there exist a greater incentive for smuggling than there is now?—I do not think there would, because the difficulty of selling it at retail would be so great. The smuggler to-day puts his stuff immediately into licensed places, but the incentives to smuggling would be immensely reduced if you did not allow it to be sold in the country at all.

14278a. Do you know how that theory will apply with reference to the Scott Act? The difficulty with the Scott Act was that about every county which adopted it, was on the border of a county which had not adopted it.

14279a. There were whole blocks of counties in Ontario where liquor could be lawfully sold?—Yes, and that was the great difficulty. But we were fighting the battle as well as we could.

14280a. You have spoken of the price of barley. Would the fact of the duty upon malt being raised to 72 cents a bushel, have any effect in reducing the price of barley to the Canadian farmer?—I do not know that it would. I think the increased production makes it necessary for them to find other uses for it, and brings the price down to the lowest point at which it can be produced.

14281a. But we are told that the price of beer has remained about the same?—There is an immense margin of profit.

14282a. The malt duty being doubled affected them to that extent. Do you think it affected the farmer in the way of reducing what he got for his grain?—I do not think it did much. I think the over-production reduces the price. If there is too much of an article, it has got to find its level in seeking other ways of consumption.

14283. You spoke to us about the saving it would be to the workingman who drank two glasses of beer a day, if he had prohibition, I think you said he spent \$36.50 a year?—Yes.

14284a. Have you considered that question from this point of view; one man chooses to spend his money in the theatre, another man in having fast trotting horses, another man in buying expensive cigars, another man in taking two glasses of beer a day? What is the difference?—My impression is that the man who does these things you speak of, takes his two glasses of beer a day also.

14285a. Supposing he does. Do you mean to say there are not a great many total abstainers who smoke cigars?—No doubt, and a great many total abstainers who go to the theatre.

14286a. Now, why do you select the man who takes two glasses of beer a day, to show the effects of saving habits, any more than the other men?—I am speaking of workingmen. The workingman as a rule does not do these things you speak of. He goes to the theatre very seldom, he does not buy fast horses. Of course there is coming to be more gambling among the poor now than there used to be, because there are more opportunities for gambling. But as a rule, the workingman has all he can do without going into the other indulgences. If he spends that \$36.50 a year on beer on his present wages, he has to deny his family a good many comforts, and if he spent money on other things, he would have nothing left. So far as the average workingman or labouring man is concerned in Toronto, I doubt whether he clears \$200. Now, if a man spends \$36.50 a year on beer alone, everything else he spends on himself is coming out of the substantial necessities of his family. Therefore if you take away this expenditure, I believe there will follow a greater thought and conscience on the part of this man, whether religion follows or not. There is an awakening of conscience, and there is generally a better sense of his duty towards his family, and consequently there would be less money spent on these other things.

14287a. Take the man who does not drink, but uses tobacco; is he in a different position?—The expenditure on tobacco is very much less.

14288a. If the workingman who indulges in two glasses of ale a day, would work it down to half the amount, you would not have the same objection to the ale?—I have

the general objection that it is a demoralizing habit, and the money is just as well as wasted. I am talking of what is called the moderate drinker who takes two glasses a day. But the great mass of men who drink at all, owing to circumstances and temptations, go far beyond that amount. In the most moderate shape it is an exaction out of the wages of the workingman.

14289a. Take the principle upon which you put it, the saving to the man, you are dictating to him what he shall pay—because your argument is founded, not upon excess that may injure him, but upon that expenditure out of his income?—I say that in the truest sense I am rather guiding him than dictating to him, because the man does not know what he is doing until he gets face to face with the consequences. When you tell him if he becomes a teetotaler his money will go to the comfort of his family and the improvement of his house, he will not receive the advice as dictation. When he sees it in the right light, he will feel that the thing has been an injury and a wrong.

14290a. Supposing that the man taking his glass of ale, has all these comforts of which you speak?—The average labouring man has not.

14291a. Supposing that he has?—Well he has not.

14292a. At any rate, your position is this: That you will not leave to the man himself the choice of what he is to do. You are dealing with him not only as if he were suffering from excessive use, but you are even interfering with him in the moderate use, and are prescribing to him his family arrangement in that respect?—I do not think that is a fair way to put it. This liquor traffic is singled out because it carries in its train nearly all the evils that afflict the country. I have used the economic argument to show that in doing away with all these evils and injuries to the individual, you will at the same time produce a positive benefit to the country. We are attacking the liquor traffic because of the poverty and crime it brings in its train. Besides I claim that the economic benefit to the country would be immense, because the individual citizens themselves would be benefited. Gladstone says that the object of legislation is the greatest good to the greatest number.

14293a. But aside from the evils resulting from intemperance, are you not interfering with a man in his domestic arrangements to an extent that you would not do with regard to anything else?—No, because all legislation is an interference. We prevent a great many things when we interfere with their abuse. Nearly all legislation has in it some element of prevention. We have all got to submit to laws that are made for the benefit of the greatest number. I remember Judge Haggerty saying to me that he objected to the powers the city had to impose taxes, that a great many of those powers in their exercise were an outrageous interference with individual rights. Yet the great bulk of the people prefer to submit to them for the sake of the greatest good to the greatest number. Prohibition is an interference, a definite interference, but it is an interference that is in accordance with Gladstone's definition of legislation, and on that basis the interference is justifiable—the greatest good to the greatest number.

14294a. Then on the same principle would it not be legitimate to intervene in a man's habits so far as to say what he shall eat and the kind of clothes he shall wear?—No, because that would not be for the greatest good to the greatest number.

14295a. It might be if he ate too much?—No, it would not, for this simple reason, if a man eats too much it does not necessarily lead him to crime.

14296a. You say that evils result from this cause that do not from anything else?—Most undoubtedly. Of course I consider that a man may commit a crime against his own family, of which the law takes no cognizance. When I see the wretched condition, the misery and the suffering of a man's family caused by his drinking, I say he is committing a crime against his family, even though he never gets into the hands of the law.

14297a. I understand you mean that you cannot separate the use of that article from the evils that result from excess?—No, you cannot. But I do not think I would interfere with it if it did not do the man himself an injury.

14298a. It was upon that idea I based my question about over eating?—I do not think I would call for interference. A man may over eat and make himself a miserable creature, he may be guilty of extravagance in dress, but unless there were public evils

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arising out of it, it would not be a subject of legislation. I claim it is necessary to legislate over the whole in order to reach a part.

14299a. It is owing to the evils that come from drink that you would legislate in that way?—Most undoubtedly.

14300a. You spoke of putting on an income tax in order to meet the requirements of the revenue?—That is the way they do in the mother country.

14301a. What struck me is this, that if the workingman saves this \$36.50 a year, why should he not contribute to some extent also to that taxation?—No, my view is that the true system of taxation should leave the producer free. I think a man is entitled to his income up to \$1,000 a year, as nearly as possible free, except from what you may call the absolute elements of taxation. There have always got to be elements of taxation connected with property, for instance, every one must pay something in the way of customs duties, but as a rule the producer should be free from the harsher burden of taxation. He should bear some taxation, I admit, and he can bear it properly; but when you come to extraordinary circumstances and serious burdens of taxation, my judgment is that the men on whom the whole State depends for the necessities of life, should be as lightly burdened as possible.

*By the Chairman :*

14302a. Would you permit him to vote?—Yes.

14303a. Then you would separate the producer from the burdens of the State. Do you think that men who bear none of the burdens of the State, should have a voice in the management of the affairs of the State?—I think it is a position you have got to meet under the Democratic system; it is impossible to avoid it.

14304a. Do you approve of it?—So far as the wealthy men are concerned, I believe they have less conscience in the administration of public affairs than men of moderate means. I am a Democrat down to the ground. I would rather trust the people that have nothing than I would the people that have something.

14305a. Do you believe in allowing men to vote and direct the affairs of the State, and letting them escape altogether from the burdens of taxation?—No, I do not think they ever can escape altogether, there are certain burdens which they must meet. I was speaking of burdens which arise from improvements, from extraordinary circumstances of the State, and things that reach into the income of a man who has scarcely enough to live on anyway. I would only make them pay taxation for necessities of a natural kind.

14306a. Would you exempt him from this direct taxation which you think should take the place of the taxes upon liquors in the event of prohibition?—I would.

*By Judge McDonald :*

14307a. You say an income of \$1,000 a year might be a subject of taxation. As that income got larger, would you increase the rate of taxation upon it?—That would be very difficult to do, but I think that system is coming, we will learn as we go on. I think the result will be a really equitable system some day, under which every man will pay in proportion to his means. Take a man like Vanderbilt with an income of millions a year, I think it is a great shame that he escapes with the few dollars taxation that he pays. I think the thing has got to be met—by revolution if it is not met in any other way.

14308a. In speaking of those who are opposed to a prohibitory law, I think you made the statement that they would have to sacrifice something for the rest of the community?—Always.

14309a. Now, is the term sacrifice the proper term there?—I think so.

14310a. For a man who opposes prohibition, but has it forced upon him?—I think so. The principle is government by the majority, and I think that where the majority of the people consider that personal sacrifice is necessary for the benefit of the State, the true citizen would consent to it instead of attempting to break the law and defeat its end, or gain his object by corrupting the administrators of the law.

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14311a. I think you stated in answer to the Chairman that you believed there were some men who are not total abstainers and who were yet prepared to accept prohibition on the principle of the greatest good to the greatest number?—Yes.

14312a. Now, these men would be making a sacrifice; but do you consider that the man who opposes it, and upon whom the majority forces the law, is making a sacrifice of something for the good of the community?—Yes.

14313a. You are making him do it?—The minority has to submit to the majority. For instance, the State is governed by two parties. We will suppose the Chairman is a Conservative and he takes a certain view with regard to a certain public question. But, supposing the country as a whole is opposed to him, that the legislature enacts the law that he does not agree with, would he cease to pay taxes on that account?—As a good citizen he would say, I do not agree with this principle, but as a citizen of this country I must fall in with the system of government and be obedient to the laws. In the same way I would expect men who are opposed to prohibition, to accept it once it was carried by the majority, because they cannot afford to be at fault in the matter of maintaining the law of the country. Where conscience is wrong in this matter is when men consider that on this and other moral questions, because they do not agree with the majority, they try and defeat the ends of the law, try to encourage officials to neglect their duty or appoint officials who will not carry out the law. I think that is the most immoral thing that has happened, that is where the wrong conscience appears. Most men look at it in the true light, they will be obedient to the majority until they can bring that majority to their own way of thinking. I am obedient to a license law, but I take legitimate means to convince the majority that prohibition is the better plan. I am obeying a law that I do not believe in.

14314a. This is an important question. If a man takes, we will say, his glass of ale at dinner, and he thinks it wrong that he should be deprived of it, and if he is deprived of it by a law which he opposes, can you say that he is making any sacrifices?—Yes, he is.

14315a. In what way?—He is making a sacrifice if he accepts the law of the country and obeys it.

14316a. He accepts it because he cannot get his ale?—Very well, but if he goes to work and tries to break the law, then he not only makes no sacrifice, but he becomes a bad citizen.

14317a. In such a case is the word "sacrifice" the proper word?—In the case of a good citizen it is. He would make up his mind to submit.

14317½a. But he has got to submit?—A man submits either in one way or another. He submits when he has done everything he can to have his own mind. Then, when he comes under the operation of the law he was opposed to, if he is a good citizen he will say, that is now the law of the country and I will obey it. That is sacrifice in the highest sense, because he is giving up his own convictions in order to be a good citizen and obey the law. This man is a true man, a good citizen; the other man is a bad citizen.

14318a. That may be all very well. But your expression, as I understood it, went farther. The law says a man shall not get it, but he would get it if he could; therefore he is not giving it up at all, he simply cannot get it, owing to legislation. Now, what sacrifice is that man making?—I still hold to the point that he can make it a matter of sacrifice.

14318½a. He may make it a matter of sacrifice?—As a true citizen he may make it a matter of sacrifice.

14319a. Your expression was that he would have to make it a sacrifice?—He would, by becoming obedient to the law, and not attempting to break it.

14320a. But can you put the two things together, and say a man is making a sacrifice when it is compulsory upon him to do so?—When necessity comes in it ceases to be a sacrifice?—I will tell you where it becomes a sacrifice. When a prohibitory law is carried and its opponents continue their opposition in the direction of subverting the law and bringing it into contempt, there is evidence of their consent being forced, they become rebellious to the law. Now, when a man is willing to lay down his pride

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and his own conviction, and accept the doctrine of the majority and be obedient to it, I say that is a sacrifice.

14321a. Your expression was that he would have to sacrifice?—We will say he is not willing to do it, but he does it as a good citizen, therefore sacrifice is the word to use.

*By Rev. Dr. McLeod :*

14322a. During these two hours a good deal has been said on various phases of this question. I understand you are connected with several benevolent associations in Toronto?—Yes.

14323a. Will you tell us what they are?—The work that I have been connected with mainly, has been with the industrial schools for boys and girls ; along with general mission work and work in the prison.

14324a. You have been actively engaged in these branches of moral effort?—Yes.

14325a. What are the results of your observation and experience as to the effect of the liquor traffic upon the classes of people whom you are trying to benefit?—I think that the liquor traffic has mainly to do with the necessity for the existence of these places.

14326a. Is there much expenditure of money necessary in carrying on these branches of work?—In carrying on the industrial schools, there is large expense in keeping the children.

14327a. Could you give us anything like an estimate of the amount of money expended in that way?—I would advise you to examine Mr. Hazard, Superintendent of Industrial Schools. He could give you very important evidence, in that direction especially. In reference to the prisons, Mr. Massey, the Warden, would be able to give you the facts. He has the evidence showing how the crime originated, and he has the history of each case.

*By the Chairman :*

14328a. From the statements of the prisoners themselves?—No, not entirely, I think he has endeavoured, as far as possible, to verify their statement from other sources.

*By Rev. Dr. McLeod :*

14329a. Do you know how much the city pays for the relief of pauperism?—There is an organization called the Charities Commission, or the Combined Charities, who could furnish you information on that point. I think the minutes of the Executive Council will give you the amount spent on charities and hospitals ; also on the administration of justice.

14330a. From your observation, what proportion of the poverty and crime that involves a charge, either upon the city funds or upon private charity, is traceable to the drink traffic?—I think the great bulk of it. The percentage would be very small at the other end.

14331a. As to the private charities, what class of people contribute the chief amount of money necessary to support them?—Well, so far as it is contributed out of the general taxes of the city, the largest portion of the population being workingmen, they contribute the most ; but so far as it is contributed by individuals, it is spread over a large number. In Toronto there is an immense contribution in charities, and I notice that the subscriptions range from 25 and 30 cents up to \$5.

14332a. Do you know if the men engaged in the liquor traffic contribute largely?—I do not think they do. They are not much given to giving.

14333a. It is evidently your belief that the prohibition of the liquor traffic would make a marked change in the amount of poverty?—I think it would make Canada the most prosperous country in the world.

14334a. You said that the money expended in drink, except the small per cent of it that went to the farmer for the raw material, and the payment of labour, was just as much wasted as if cast into the sea. Is not that money much worse than wasted?—Yes, certainly.

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14335a. Is there a depreciation of the physical forces through the consumption of liquor, and therefore an additional loss to the individual and to the country?—Yes. Besides the money paid in drink, there is the loss for the prevention and punishment of crime, the support of insane asylums, and so on. All these things would be immensely changed by the prohibition of the traffic.

14336a. Statements are sometimes made which leave the impression that the only evil that results from drink, is drunkenness. What is your observation?—I think that the evil is a long way on the inside of what you may call confirmed drunkenness. A man has done, as a rule, almost as much injury to his family as he can do before he becomes what may be called a drunkard. I think he is robbing them and starving them to as great an extent as they can bear, long before he becomes a confirmed drunkard.

14337a. In the work in which you, along with others, are engaged, looking after neglected children, do you find that poverty and domestic distress are confined only to the families of those who are confirmed drunkards, and whose frequent arrest swells the record of the police court?—No, I find that in the intermediate stages of a man's progress towards drunkenness, the evils are fearful, and the suffering is intense.

14338a. Speaking about New Hampshire, I understand from you that prohibition in that state only extends to the sale, and that the manufacture is permitted?—It is only partial.

14339a. And as to Maine, do you know whether either party there has suggested the repeal of the law?—I do not know that they have, I have always understood that both parties expressed themselves in favour of a continuance of the law.

14340a. And the prohibition party simply desire better enforcement?—I do not think they have any status in Maine at all. I think if they were working inside the other parties, trying to keep them true to their profession, they would be doing better work.

14341a. But neither the Democratic nor the Republican party proposes the repeal of the law, and this new party simply asks that the law be better enforced?—That is so.

*By the Chairman :*

14342a. In a city like Toronto, as between the saloons and the taverns, which class would you reduce?—I should reduce those that have no real accommodation for travellers, that are not real licensed victuallers. The original excuse for their existence at all was that they provided meat and drink, and if they do not provide meat and drink, and lodgings, in the true sense, there is no need of their existence. They are all supposed to provide them, but with a great many of them their money is made out of the selling of drink.

14343a. Do you think that of the licensed places in Toronto at the present moment a considerable number of them do not supply beds and food?—The number is so small, comparatively, for such a large city, and the value of a license is so great, that they have been building large places and have become, many of them, practically large boarding houses. A very small number are necessary for the accommodation of travellers.

14344a. I desire to get information with regard to the existing state of things. I think there are about 150 licenses, of which 10 are saloons and the others are classed as taverns. Now, do you think that the 140 all provide accommodation for travellers in the way of lodging and meals?—I think they should be able to prove that they are required for that purpose.

14345a. But I am speaking about what exists, because a doubt has been thrown upon the matter. I want to get the facts?—The position is a false one. They are obliged to provide accommodation which is not required in order to obtain a license for selling drink.

14346a. But what are they doing at the present time?—They are all obliged to provide nominal accommodation, by which they are simply evading the law which meant that they should only exist as hotels.

14347a. The law contemplates that they shall provide accommodation. Out of the 140, do you think that there is any considerable number which are not complying with the law in that respect, that is, that do not have accommodation for the feed-

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ing and lodging of travellers?—I do not suppose at the present time all of them are providing the nominal accommodation required by law; but I do not consider they are in the business of providing food and lodging. Their main business is simply the sale of drink.

14348a. What proportion of them, do you think, are complying with the law in its true meaning?—If you exclude those which are mere boarding houses for people who are lodging in the city. I do not believe there are 30 out of the 140 that are *bond fide* licensed victuallers, who are providing for the travelling public.

14349a. The law is that they shall provide lodging and food?—Yes, and at the time they are inspected there is no doubt that they have everything in proper shape. They have the nominal provision, but I do not believe they have the real provision. I do not think there is a real necessity for 140 hotels in the city.

14349½a. In the city, have they got to provide stabling for horses?—I think not—at all events I am sure they do not.

14350a. Now you have referred to the question of voting on a prohibitive law as showing the opinions of the people. Is it not your experience, when a vote on some special matter is submitted, that those who are deeply interested go and vote, and those who are indifferent, or perhaps even opposed, stay away?—I agree with you, and I think that there is a fearful indifference on the part of those who have votes as to their responsibility in these matters, and a fearful amount of cowardice, which is worse.

14351a. Then to what extent are we to judge of the opinion of the country by the number of votes that are really cast for a particular measure?—I think there are only about two-thirds who ever vote, in a large community like a city, on any public question.

14352a. In speaking about the law in Maine, I think you used the expression that it has held its own, or words to that effect?—Yes, because it has had the influences of the whole country, of both political parties, and of every other agency, against it. In saying that it had held its own, I meant that its friends had been able to maintain a prohibitory law in the face of the enormous war against it from the outside.

14353a. Do you not think that possibly it is rather tolerated by both political parties for the purpose of getting the support of its friends?—Well, sir, I hope not, otherwise you would give me an awfully bad opinion of everybody. There is this to say—that the politician generally is a man who follows the doctrine of expediency. He does what he is obliged to do, to a very large extent. If people don't keep him up to the mark, he won't keep himself up to the mark.

14354a. I will quote to you an expression made use of by one of the representatives of Maine in Congress. In a statement before the Commission he said very emphatically "If prohibition is not a success in the State of Maine, then it is not a success anywhere, and it must be pronounced a failure." He said this because it had had the benefit of such a strong sentiment in favour of it. They have had the law 40 years, and between 40 and 60 amendments have been made to it. Now, if, in that time, a prohibitive law has not wrought a great reformation, would you consider it had been a great success?—Yes, I would, for this reason, that it is still in a combative position, and Maine is the vanguard of the fight. The position of William the Silent in earlier days, is just exactly that of the Maine law. The Spanish Arms were in possession of his country up to the last moment, yet he had so imbued his people with the spirit of determination with regard to their independence, that he was able eventually to conquer. The position of temperance work to-day I believe to be a very promising one in Maine. I believe that the armies of temperance are going to rouse up as a consequence of the example of Maine in maintaining prohibition, and that eventually there is going to be an enormous victory in the United States. I think public opinion is constantly rising higher.

14355a. You are speaking of the effect on the other parts of the country of the prohibitive law of Maine; I am directing my inquiry to the effects of prohibition in the State of Maine?—I understand you.

14356a. We want to ascertain as far as possible what the effects of prohibitive measures have been, that is one of our instructions. Now, if the position has been, as I understand you to characterize it, simply that of the law holding its own, the progress has not been very great?—Well, I believe that the results of all prohibitive measures



are beneficial to the people, and that there is a clear gain. I think the result has been beneficial to the people of Maine, that it has been productive of a stronger, a sturdier and better race of people, and I think they show it in their saving power, and in everything.

14357a. To what sources do you think it would be wise for this Commission to look for the benefits which have been conferred upon the people of Maine by the prohibitive system?—I doubt very much whether you are wise in taking the opinion of the people, because opinions differ, and you are gathering a mass of different opinions. My own impression is that you must get at the absolute facts wherever you can. I think when you come to look at the contradictory opinions, my own among the number, you will find that you have got to fall back upon the facts, and you will base your conclusion on your facts. My own judgment is that so far as the true facts are concerned, you will find that wherever the liquor traffic has been reduced or prohibited, the people have been morally and economically gainers. It is my belief that such has been the result in Maine.

14358a. When you speak of getting facts, what kind of facts would you suggest we should get?—I remember that a good many years ago the *Toronto Globe* sent down two Commissioners to the State of Maine, one of whom was a temperance man and the other was an opponent of prohibition. As a result of going quietly through the country visiting the towns and villages, obtaining facts, and looking at the state of prosperity among the people, the opponent of prohibition turned around in a remarkable way, and wrote a statement that he had been convinced that prohibition was a benefit and a blessing to that country.

14359a. Do you think they examined the records of the courts of justice?—I think they did.

14360a. Did they quote any of them?—For that matter, I do not remember at the moment.

14361a. If they went through the state, of course they would be able to write upon what they saw; but there is a great deal else that has to be inquired into in order to get the bottom facts?—I think you must allow me to hold to my position that in relation to prohibition the State of Maine is in a condition of war, the State of Maine is in the vanguard of a battle, and in order that that little body of people could have maintained their law against the opposition, you might say, of all the rest of the country, and have remained true to the principle, they must have been benefited, otherwise it would have gone under years ago.

14362a. You are again referring to public opinion outside the State of Maine; but is it not within your knowledge, that both political parties in the State of Maine have encouraged the prohibition party; and is it not a matter of common report that neither of them, when they got into power, have given effect to the law, that in fact it has been used as a means of gaining political support?—Yes; I believe that is the case, and it shows that the people are true, though the politicians are false.

14363a. Would we be justified in concluding that there was a strong prohibition sentiment when neither party was willing to enforce the law?—I think so.

14364a. On the whole, you think the law has simply held its own?—I hold the law has been productive of benefit. I stated in the beginning that wherever there is a prohibitive law the measure of enforcement varies in accordance with the sincerity or faithfulness of the officials. I believe that wherever there is a prohibitory law, whether it is enforced or not, the people are the gainers. In the State of Maine I believe there has been a fair enforcement, under the circumstances, and the people have been great gainers.

14365a. You have referred to the difficulty about opinions. If we do not take opinions, what have we got to rely upon? Are we to look at the criminal statistics, at the social condition of the people?—And the savings, in proportion to the population, as compared with other states.

14366a. And to the divorces in the state, although it is said that has nothing to do with prohibition?—We would have just as bad a state of things here to-morrow if we had a divorce law.

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14367a. The point has its bearing upon the question, from the fact that a large percentage of these divorces are granted on account of drunkenness, as appears from some of the returns. Are these the sources to which we should look for information to guide us as to the result of prohibition in the State of Maine?—I do not think that you should rely upon them entirely. For instance, looking exclusively at the cities of Portland and Bangor, I claim that you must give some weight to my contention that Maine has been in a state of war, so far as prohibition is concerned, with the rest of the country, that the rest of the country have been endeavouring to defeat the law.

14368a. We want to get at the actual results, we will weigh for ourselves the conditions under which they have been obtained?—If you weigh the conditions, you must remember that state of war.

14369a. Can you refer us to any other resources from which the Commissioners could seek for information?—Compare the amount in the savings banks of Maine with those in other states, in proportion to population. Compare the amount of liquor drunk in Maine with that of all the other states that are not under prohibition. Get at these results and consider that they have been produced under a partial enforcement only of prohibition in the State of Maine; then I think your facts will be all right.

14370a. I think there is a general misapprehension in regard to the savings banks. The savings banks in the Eastern States are not really savings banks in the sense that we consider them so in this country. They are associations, there are no shareholders at all. A number of people subscribe, and they appoint trustees and managers; and they have to pay a rather heavy tax, I think. Now, that is an entirely different thing from the case of a man who puts his money into a savings bank here and gets a fixed rate of interest. Therefore I think you can make no comparison between the moneys deposited in savings banks in those states, and the moneys deposited in the same institutions in Canada. I think it is a fact that there are other states where prohibition does not prevail, that have larger deposits in their savings banks than has the State of Maine, per capita of the population?—Well, I would take a state of a like position, I would take the State of Ohio. So far as I have seen comparisons, they show an enormous advantage in favour of Maine. When people have such agencies for their savings, it shows a condition of trust among them, it shows a general condition of economy.

14371a. That is the law in nearly all the Eastern States?—Because the people are of a class, as a rule, that they can trust each other.

14372a. What would you say of the State of New York?—I do not know.

14373a. Or the State of Massachusetts?—In Massachusetts as in Maine, there has been an enormous influx of French Canadians, and it has taken time for a prohibitory law to convince them. There has been this added difficulty in Maine, that there has been a great immigration of people from other countries that have had to be converted to the principle of prohibition.

14374a. You will see from what I have said, that a comparison between savings bank institutions in a state like Maine and those in Canada, would be a very fallacious one. To compare one state with another state where the institutions are carried on under the same law, would be a fairer comparison?—No, I think you cannot take two New England states, because the New Englanders have all got that temperance leavening, whatever they may express in legislation. You want to take two states of contrary conditions, in one of which the people are in the habit of drinking liquor freely. The State of Ohio would make the fairest comparison, from her population, wealth and area.

14375a. What would you say of a comparison between Maine and Vermont?—I do not think it would be fair at all, because the people are of the same temperate and saving habits. I would not take any other New England state and compare it with Maine, I would take a Western state where the people are in the habit of drinking freely. Ohio is a great drinking state, it is a wealthy state, with splendid land, and I would take that state for a comparison. I remember looking at the figures of the savings banks in Ohio, and the savings were only about one-quarter per head of the population, of what they are in Maine.

14376a. But if the law regulating savings banks were not the same in Ohio as it is in the state of Maine, would the comparison be a fair one?—Then you will have to

find some other basis of comparison, but if you take the savings, it would not be fair to compare Maine with any other New England state, because the character of the people is the same.

14377a. Would a comparison with Canada be a fair one?—Canada is also very similar. Canada only consumes something over 4 gallons of liquor per head of the population, and the United States something like 17 gallons. Canada is a singularly temperate country.

14378a. But if the depositor in a savings bank in the States gets a much larger rate of interest than a depositor in a savings bank in Canada, that would destroy the comparison, would it not?—They get a larger rate of interest because they can trust each other.

14379a. A man who puts his money into a savings bank here, has to trust some one. In the States they only have their managers and trustees?—They trust each other.

14380a. They do not trust each other any more than a depositor in Canada has to trust to some one?—But they are paid a bigger rate of interest.

14381a. In the States they are simply associations where the profits go to the depositors in the bank. There is a wide difference between the way these institutions are managed in the States and the way in which they are managed in Canada?—Supposing you take the total deposits, because if the money is not deposited in a savings bank, it is deposited in some other agency which may pay a little higher interest.

14382a. In Canada, if a man gets only 3 per cent for his deposit, is he not likely to look around to find some other place in which he can put his money and get 4 or 5 per cent?—Yes.

14383a. If a man in the State of Maine can get 4 or 5 per cent for his money, he probably does not look around for any other investment, he considers that sufficient. Therefore they run to the savings bank with their money?—That no doubt is correct. Our building societies, to some extent answer to their savings banks, because they give 4 per cent, and in some cases 5. If you take the whole deposits in the State of Maine and the whole deposits in the State of Ohio, I think probably you will find the advantage greatly on the side of Maine.

14384a. If the conditions are different, of course the comparison would be of no use?—The savings banks in the States must be the same, and I think they afford a far better test than the police records. The condition of the people is a better way to determine the value of legislation than the crimes of the people.

14385a. If you want to make a comparison you must compare like with like. If in one state they put their investments in land, houses and buildings, and in another state they put their investments in the savings banks, you could hardly form a comparison of the conditions of the people by the statistics of the savings banks in those two states?—I am sure you will make it a matter of careful examination; still you would not do that if you left out the element of increased prosperity as a result of prohibitory legislation, because that is what we claim for it.

14386a. We only desire to get your general view. I might quote a great many other things in connection with the prohibitive law in the State of Maine?—Probably I could not give you any more light.

14387a. You referred to the money spent in connection with the drink traffic; I think the expression you used was that it might as well be thrown into the sea?—Yes, I think so.

14388a. But it goes from A to B?—No.

14389a. Yes, it goes from A who is the consumer, to B who is the producer?—That does not give the whole truth. After B gets the money, he locks it up. It is money that does no good for the time being. He stores it up, and withdraws it from all beneficial uses.

14390a. Generally he puts it in stocks, in manufactured goods, in shares of public companies, or invests it in railroads?—He does all these things, and absorbs them.

14391a. Then if it is withdrawn from a remunerative use in the first place, it is afterwards put into some other remunerative channel; therefore is it lost or thrown into the sea?—Yes.

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14392a. Can you say literally that you might as well throw it into Lake Ontario?—Just as well, as far as it concerns the beneficial uses of the community. I hold that where you are increasing the wealth in the hands of a few, it is really an evil instead of a benefit to the community. Where you are affording means for men to absorb the labours of a few and thereby impoverish them, you are doing the country a great deal of harm. That is an economic proposition which I am not afraid to maintain.

14393a. But literally there would be an end of it if it was thrown into Lake Ontario?—There is an end of it when it is put in a place where it can be of no real advantage to the community. When it goes into the liquor traffic it has been cut off from the place where it belongs, and has been put in a place where it is not needed.

14394a. It is taking it from one class and giving it to another class?—That is just what should not be done, that is equal to destroying it, so far as its beneficial effects are concerned. When an article is consumed for no purpose, it is an injury and a loss to the party who consumes it.

14395a. You spoke of the Commissioners who were sent down to Maine by the *Toronto Globe*, and of one gentleman who changed his mind in consequence of what he saw?—That was Mr. T. P. Thompson; I think he is here now.

14396a. Do you remember if the other gentleman also changed his views when he came back?—I do not, indeed.

14397a. Did he not become an opponent of prohibition?—I do not think it, but it may be so, and Mr. Thompson may be to-day an opponent of prohibition, but I do not know it.

14398a. It would be a circumstance of some importance if a man went down as a deliberate opponent of prohibition and came back convinced in its favour; but would you not attach some weight to the circumstance of a man going down as a decided prohibitionist and coming back as an anti-prohibitionist?—That was not the case with the prohibitionist, if he honestly expressed his convictions in his writings. I am sure that he did not express his change of conviction publicly if he changed it at all, in the same way that the man who went down as an anti-prohibitionist expressed his change of convictions when he returned.

*By Rev. Dr. McLeod:*

14399a. Do you think the men themselves were competent judges of the effects of prohibition?—Yes.

14400a. Do you think that after 30 years of statutory prohibition, the fact that the people, by a majority of 47,000, put prohibition into their State Constitution, is to be regarded as a proof of their belief that the effects are beneficial?—Of course, that stands to reason. I think that is an unanswerable argument. The people themselves are the best judges of what prohibition has done for them.

REV. JOHN PEARSON, D.D., Church of England, Toronto, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

14401a. You are Rector of the Church of the Holy Trinity in Toronto ?—Yes.

14402a. How long have you lived in Toronto ?—18 years.

14403a. I understand your church is in one of the crowded districts of the city ?—Yes.

14404a. Speaking as a clergyman, have you found among the families with whom you come in contact, that intemperance has been the cause of much sorrow and suffering ?—Amongst the families in my parish, yes, not amongst the families of my congregation.

14405a. I mean in your pastoral visitations ?—Our parish in the Church of England comprises a certain district ; our congregation is made up of persons very largely from that district, and possibly some from outside.

14406a. Now, taking the section of the city in which your church is placed, how do you find the license law to be carried out ?—I am sorry to say that it is not always observed faithfully.

14407a. As to Saturday night and Sunday closing ?—Not always. I see from time to time that men are brought up before the police court for infringing that law, and to a great extent the delinquents come from the part of the city in my parish, and adjoining my parish.

14408a. Have you noticed at all whether minors are to be seen under the influence of liquor ?—I never saw that myself.

14409a. You are not in a position to say whether the law is broken in the way of furnishing liquor to minors ?—No.

14410a. Have you had any experience of the working of a prohibitory law ?—No.

14411a. Are you yourself in favour of such a law ?—No.

14412a. For what reason ?—I think it is very unjust, and an improper interference with the personal liberty which belongs to every man. I do not think that our personal liberty should be interfered with in matters of that kind. The true principle is self restraint, every man should prohibit himself when it is necessary to do so.

14413a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for their plant and machinery rendered useless ?—I think they should, for the reason that their business has been recognized at all times in the history of this country, as a legitimate business, under the sanction of law ; and therefore if by law their business came to an end, it would seem to me only right and just that they should be to a certain degree compensated, for that which they have invested in the business.

14414a. What is the effect upon the moral sense of the community of having a law upon the Statute-book which is not enforced ?—I should think it would be very bad ; I know it had that effect upon me when I was coming to Toronto from the State of Maine.

14415a. Please state what your experience was ?—A gentleman residing in Fredericton wrote to a connection of his who lives in Bangor to meet us there, where we expected to have our baggage examined. While waiting there this gentleman came to me on the platform, and I asked him what the practical working of the Maine law was. He told me that there were any number of places where liquor could be obtained if any one desired. I confess that when I heard that, my respect for the Maine law was not what I should like it to be for law in general. Therefore I am of opinion that if sumptuary laws are no better observed here than the prohibitory law in the State of Maine, as this gentleman represented to me, such an enactment had better not be made.

*By Rev. Dr. McLeod :*

14416a. Did you receive from the Commission some time ago a circular with several questions, inviting an answer thereto ?—I did not.

REV. JOHN PEARSON.

14417a. Some time last year a series of questions were sent to ministers throughout the country?—I do not remember receiving them. I had no idea what the questions were except what I read in a newspaper this morning.

14418a. Have you observed whether any proportion of the poverty and domestic distress you have met with amongst the people, is traceable directly or indirectly to the drink habit and traffic?—To the excess of the drink habit, certainly.

14419a. A considerable portion of it?—Amongst those who are improvident, yes.

14420a. What effect do you think the drink traffic in your parish has upon the people? Are they a temptation to the young?—I am not able to speak about the young. I have never come across instances myself of strong drink being supplied to the young.

14421a. Are they a temptation to adults who have a fondness for drink?—There are weak men who are not able to resist temptation, and probably fall because temptation is close to their hand.

14422a. Do you think their condition would be improved if the temptation of the drink shop were removed from them?—I am not sure; but from what I hear, if there was no recognized drink shop, I fear they would procure strong drink in some other way.

14423a. You rely, of course, largely upon moral efforts and influences?—Yes, which in my judgment, is the better way.

14424a. Have you observed whether the drink shop as established, is a helper in your moral efforts?—I do not think it is, I should certainly say it is not a helper.

14425a. I think you observed that the license law is more or less violated in Toronto?—I perceive that from the newspaper.

14426a. What is the effect of that violation upon the moral sense of the community? Does it breed disregard for all laws?—Yes, I should think so. That is the tendency.

*By the Chairman :*

14427a. You were asked if the liquor traffic as conducted in Toronto, was a helper to moral influences?—I do not think it helps us.

14428a. Are there not many other trades and occupations which cannot be said to be helpers in your moral efforts?—Yes, certainly, the pool room.

14429a. What about an ordinary trade. Take any of the business establishments, are they, in general, helpers?—I should think so, inasmuch as they provide bread for men and their families.

14430a. In that way they aid your efforts towards inculcating moral principles?—Yes. I do not think that could be said of the saloon.

14431a. Do you think of any other trade that does not help you besides that of the saloon, or of the vendor of liquor?—I say the pool room, the gambling house.

14432a. Well, any other?—No, I do not think of any other.

14433a. Is it within your knowledge that any of the vendors of liquor contribute to charitable objects?—They do.

14434a. In that sense do they help you?—Yes, I am bound to say that I know of some very respectable men who are keepers of taverns, and who are always ready and willing to help in any way we may desire them to do.

*By Rev. Dr. McLeod :*

14435a. Is there any established trade which in so large a degree interferes with moral and Christian efforts, as the drink traffic?—Indirectly, I think it does interfere with Christian efforts, that is to say, where the result is intemperance. By intemperance I mean drunkenness. I do not mean that a temperance man is necessarily a total abstainer.

*By Judge McDonald :*

14436a. As a clergyman in the Church of England, what is your belief as to what should be used in the administration of the holy communion?—Wine, certainly.

14437a. By wine you mean fermented grape juice?—Yes, the *oinos*.

14438a. Unfermented syrup would not answer?—Certainly not—that is the position the church has taken in Canada.

J. HERBERT MASON, on being duly sworn, deposed as follows :—

*By the Chairman :*

14439a. You are a resident of Toronto?—I am.

14440a. How long have you resided here?—About fifty years.

14441a. Are you President of one of the banks?—I am President of the Canada Permanent Loan and Savings Company.

14442a. What, in your opinion, is the effect of the liquor traffic as at present conducted upon the agricultural, financial, industrial, commercial and business interests generally of the Dominion?—That is a very wide question. Of course, I do not profess to have any special information on this matter at all. It is not a matter that I have given my particular personal attention to; but I will answer the question as far as I am able. First, as to the agricultural interests, that has reference, I suppose, to the liquor traffic furnishing a market for certain kinds of grain, such as barley and corn. I suppose the liquor traffic does give a home market for certain kinds of grain which otherwise they would not have. It does not occur to me that it affects agriculture in any other way. I am not aware that it has any particular effect on the financial interests of the country any more than any other business of the same extent. Of course, it requires capital to carry it on. The same in respect to the industrial interests of the country. The number of people employed in the manufacture appears from this paper which was sent to me to be not very large, about 2,700. Those employed in connection with the retail sale are a considerable number. In the event of the traffic being discontinued, of course these people would be for the time out of employment. A great many houses of entertainment could not be kept open if there were no liquors sold in connection with them. I believe that is admitted. The tendency would be to reduce the number of houses of entertainment. As to the commercial and business interests generally, I do not know that it affects these any more than to the extent of the capital that is employed in it. It appears that there is a very large quantity of spirits, wines, ales, etc., of the value of about \$1,750,000 per annum, imported.

14443a. Have you anything further to say on the first question?—Nothing occurs to me at the moment.

14444a. What in your opinion would be the effect on financial, agricultural, commercial, industrial and business interests generally, and upon the revenue requirements of the Dominion, the provinces and municipalities, of the enactment of a law prohibiting the importation, manufacture and sale, except for medicinal, sacramental and mechanical purposes, of all intoxicants?—As to its financial effect, the capital now invested in these enterprises would be for the time being idle and useless until it could be turned into other channels. That would probably be the immediate effect of the passage of a prohibitory law, and, of course, it would deprive the agricultural interest of the market for those grains which are raised specially with a view to the manufacture of spirits and of liquors generally. As to the commercial effect, I do not know any interests that would be affected outside of those engaged in the wholesale and retail sale of liquors.

14445a. Bankers, I suppose, have accounts with the large brewers and distillers?—Yes. Bankers would not have the same accounts. These accounts would be closed, and the capital employed in these industries would be idle for the time being. It would throw out of use a number of houses now used in the manufacture and sale of liquors directly, and by the employees engaged in that industry. Of course these questions have no reference whatever to any moral effect either way.

14446a. No, they deal with a particular branch of the inquiry which this Commission is instructed to make?—The effect upon the revenue requirements of the Dominion would, of course, be very considerable, in regard both to excise and import duties. The amount raised from liquors seems to be very large, and would have to be provided for in some other way.

14447a. The provinces also derive a large revenue in the way of licenses?—Yes. It might be considered that there would be an offset to that in the reduction of crime and the lower cost of administering justice, but I should judge that if that result

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followed, it would not be so immediate that there would not have to be some provision for making good the deficiency.

14448a. Is there anything else you would like to add bearing on these questions?—I do not know that there is. It is the purely business aspect of the question that is presented to me here, and I have no desire to expatiate upon it except in answer to any questions that may be put to me.

14449a. Have you any objection to stating the amount of capital there is invested in the company of which you are President?—Our capital stock is \$2,600,000. We have invested altogether about twelve millions, nearly all in mortgages.

14450a. Is your business principally that of making advances on property?—Altogether.

14451a. Do you do any business outside of the Province of Ontario?—Yes, we do business all through from here to the Pacific coast.

14452a. Do you do any eastward?—We do not do any east of Ontario.

14453a. Do you think the enactment of a prohibitory law would have a beneficial effect upon the general interests of the Dominion?—Well, I should doubt it, partly because I would regard it as almost impossible of enforcement, and because I doubt its advisability, even if it could be enforced.

14454a. Would you care to state your reasons for entertaining these views?—With regard to the impossibility of enforcing it, I judge simply by the operations of the Scott Act. In one of the small towns I was credibly informed that before the Scott Act was passed there were three places where liquor was sold, and after it was passed there were eleven.

14455a. Can you mention the county?—I would not be sure at the present time, where that was; but I was there, and I was credibly informed that such was the case. It is in Ontario.

14456a. Do you think the license law is fairly well enforced at present in this city?—From my observation I should judge that it is. I think the amount of drunkenness to be observed on the streets is very much less than it was in former years.

14457a. To what do you attribute the change?—I think it is largely due to a change in public sentiment. I think that among the poorer classes and also among the wealthier classes there is far less drinking than there was a number of years ago.

14458a. Do you consider that the changes which have been made in the law have contributed at all to the improvement?—I think so. The reduction in the number of licensed houses has also, I think, had a beneficial effect.

14459a. If a further reduction had to be made, which class of the present licensed places would you reduce or cut off?—I should say the saloon would be the first one; there is the least to be said in favour of it. In connection with houses used by the travelling public I think the sale of liquor is almost indispensable according to the present habits of our people and of people generally.

*By Judge McDonald:*

14460a. In case of the enactment of a prohibitory law prohibiting the manufacture of liquor throughout the Dominion, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—Well, I have heard that matter discussed, and it does seem to me that if men invest their money under the sanction of the law in what is considered an innocent and permissible industry, and that is suddenly taken away from them, they would be entitled to some compensation.

14461a. Have you travelled in France?—I have been in France.

14462a. Have you noticed the habits and customs of the people there in regard to their beverages?—Yes. I noticed that *vin ordinaire*, a very weak kind of wine, was very much used. In fact, it is put down, as a matter of course, with every meal.

14463a. Did you notice whether that system or habit was pernicious in its results to the people?—I never heard so. Of course, my residence in France was too short; it was in the Riviera that I was for a short time; but I do not remember ever seeing an intoxicated person. But I may mention that for the last fortnight I have been in Chicago, and while lager beer was freely sold in many places, on the fair grounds, I



did not see one intoxicated person and did not hear an oath. I never saw a better behaved crowd anywhere, and there were from two to three hundred thousand people on the grounds every day while I was there.

14464a. Have you been in Germany?—I have.

14465a. What did you notice as to the habits of the people there?—There they drink beer very commonly; it is the common beverage of the people.

14466a. Did there seem to be much drunkenness there?—Not that came under my observation. I was a few weeks in Berlin and in Dresden.

14467a. You have been in England?—Yes. I saw more drunkenness in England.

14468a. Spirits are more drunk in England than on the continent?—I believe so.

14469a. Have you ever considered whether it would be better to discourage the use of spirits and encourage the use of light wines and lager beer?—Yes. I think it would be very desirable.

14470a. Have you noticed in the last few years a great improvement in the drinking habits of the people of Ontario—less drunkenness than there used to be?—Unquestionably. I do not think there is the slightest doubt about that.

14471a. Have you reason to believe from your observation that that improvement is continuing, and that the people are becoming a more temperate people?—I should think so.

14472a. Have you noticed that there is less drinking at table than there used to be—on steamboats, at hotels, and in private circles?—Yes. Occasionally there is an exception, but generally, as a rule, I think it is so.

14473a. To what do you attribute these changes?—I think they are largely due to the improved public sentiment on the subject, and to the consequences of alcoholism being more generally known; and I am strongly in favour of keeping up that system of informing public opinion. I think it ought to be made a part of the training in our common schools—the effect of alcoholism on the human system.

14474a. We have had evidence from the Hon. Mr. Ross, the present Minister of Education, to the effect that that is being made part of the public school education?—I think it is a very important thing, because it arises largely from ignorance that people drift into those habits.

14475a. In view of the state of things you mentioned as existing in the place where you were that was under the Scott Act, what is the effect on the moral sense of the community of having a law on the Statute-book that is not observed?—I think it is detrimental to the good citizenship of the people. I think laws should not be passed which cannot be or are not enforced.

14476a. I understood you to say, in answer to Sir Joseph Hickson, that you thought a prohibitory law such as he described would be impracticable of enforcement? That is my opinion, at any rate in the present state of public sentiment. For a law so stringent as that, there ought to be practical unanimity.

14477a. Would you hope that where there was that practical unanimity, the law would not be needed?—That is of course the consequence of that opinion: of course it would not be needed.

*By Rev. Dr. McLeod:*

14478a. Speaking of the capital employed in the manufacture of liquors, do you think it would remain long unemployed?—There is a good deal of it that would be practically wasted, for instance, what is used in the machinery, the vats, and the other contents of the breweries and distilleries, and it would be a long time before the buildings, which have been built for a special purpose, could be put to any other use, and probably not without a considerable expenditure of money on them.

14479a. But the capital, aside from that?—It would find its way into other channels unquestionably.

14480a. Is it your observation that capital does not go begging in this country?—Not very long, in the hands of capable men; but they may not find such profitable use for it.

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14481a. Have you thought whether that capital might be as advantageously employed in other directions?—As to the holders of the capital, it would probably be difficult for them to find so profitable an investment for some time.

14482a. Is it your observation that capital employed in breweries and distilleries yields a larger return than capital employed in other industries?—Some other industries—yes.

14483a. Would capital employed in other industries be more advantageous to the country at large?—Assuming that there are other industries requiring the capital. But supposing that it should turn out that there were not other avenues open, it might have to go into other investments, such as stocks, or debentures. A man who is brought up to be a brewer would not be able to turn to running a woollen factory, because he would need the experience.

14484a. So that for a time, you think, there must be some other investment of the capital?—Yes.

14485a. Ultimately would it find permanent investment?—Ultimately. It would not be allowed to lie idle. The inconvenience would be temporary. It might be more lasting in one case than in some others.

14486a. Have you considered this case: given a million dollars invested in a distillery and a million dollars invested in a shoe factory or a woollen factory, which institution having that much money would employ the most labour?—I should say the shoe factory, unquestionably.

14487a. So that the shoe factory would be a more profitable thing for the wage-earning classes?—I should say so.

14488a. Have you noticed whether property values are affected by the liquor traffic being carried on in the vicinity of the property?—Sometimes. For instance in the residential quarter of the city, it would be a detriment to open a tavern; but I do not think it would be any detriment to the property in the neighbourhood of the market here at all.

14489a. In the business portion of the city, would a saloon adjoining a place of business depreciate the value of the property?—Possibly it might; the tendency would be that way. But that depends largely on how it is conducted. A saloon, I should say, would be rather an undesirable neighbour—decidedly so.

14490a. What effect does a hotel, in which liquor is sold, have on the adjoining property?—In some localities it would be detrimental. For instance, if a hotel were put anywhere in the residential part of our Jarvis Street, I think it would be injurious to the neighbourhood; but in a suitable locality I do not think it is detrimental to property.

14491a. Would there be any difference in the effect of a hotel on property on Jarvis Street if it were a hotel in which there was no bar?—Well, I do not know that it would have any effect. Take some of those magnificent hotels in Chicago, if they were put up on any street in Toronto they would be a benefit to it, and I have no doubt they have bars.

14492a. You expressed the opinion that compensation ought to be given to the distillers and brewers in the event of a prohibitory law; why?—On the same principle that if I build a house under laws which I had a right to expect would protect me in the use of that house, and I were deprived of the use of it, I would expect compensation for my store or my factory, as the case might be. Of course, there are tariff laws which practically sometimes render property useless, and under which no compensation is given. That is an indirect effect; but where a law is passed purposely to put out of use a property in which a man has invested his money, I think he would be entitled to some compensation.

14493a. I suppose you understand that the distiller has a license from year to year which is a permission from year to year to carry on his business?—I have regarded that more as a means of raising revenue than as a permission.

14494a. Do you understand that the distiller undertakes his business as you or any other gentleman enters on his business, taking all the risks involved?—I should think so.

14495a. He takes all the risks involved in a change of the tariff which practically puts him out?—In the case of an indirect effect of a change in the law, it is a question

whether a man is entitled to compensation ; but where a law is passed with the direct object of suppressing his business, I think he is entitled to it.

14496a. I may say that it has been suggested to the Commission by several gentlemen that they would favour compensation provided it were two sided, that is to say, provided that compensation could be made to the persons and properties that are alleged to have suffered from the existence and prosperity of the liquor traffic ?—I cannot at present see that the two things have any bearing the one upon the other. The reason I would think that a man would be entitled to compensation for being deprived of his property would be simply from the fact that he had gone into the business under the laws which sanctioned it, and which he had a right to expect would protect him.

14497a. This also has been put forward, that the business is supposed to be very profitable, and those engaged in it have already made a large amount of money ; and it would be a crying injustice to tax the people to further enrich them ?—Of course, I do not know how far that is the fact ; but this I know, that thirty or forty years ago there were a great many distilleries in the country and that there are only very few left. If the business had been profitable to those people, I suppose they would have kept on.

14498a. Is that because the large ones have gathered in the small ones ?—I suppose it is because the large distillery could produce what was considered perhaps a better or cheaper article, I do not know which ; but I do know the fact that there were a great many distilleries in the country at that time.

14499a. Aside from that, I would like to ask, have you observed the moral effects of the liquor traffic on the community at large ?—That is, of the use of liquor.

14500a. If you choose to put it that way ?—Or the traffic.

14501a. The traffic as it is carried on ?—As far as the manufacturers are concerned. I think they are about as moral as others.

14502a. You are speaking about the men engaged in the traffic, I was speaking of the moral effect of the traffic on the community ?—The traffic means of course the use of it.

14503a. It means the manufacture, the sale and the use—it includes all ?—There is no doubt that there has been a great deal of injury done by the excessive use of liquor. There is abundant evidence of that ; it hardly needs to be stated. As to whether there are compensating advantages to counterbalance that, I think it is open to question. I know that in a great many cases it is used with apparent advantage under the advice of medical men.

14504a. There seems to be common agreement about that ; but I think you said there are serious evil effects resulting from the liquor traffic. What would you regard as the compensating advantages ?—The advantage it confers on others. It has a detrimental effect on those who take it to excess ; there is no question about that. I think there are others who claim that it is beneficial to them—by far the majority of its users.

14505a. Do you think the fact that the use of alcoholic drinks, either as medicine or otherwise, is helpful to some people, justifies the continuance of the drink traffic as it is at present carried on ?—I think it justifies the traffic. As to the way in which it is at present carried on, that is another question.

14506a. I suppose you approve of the restrictions now thrown about the trade ?—I do. I approve of all restrictions which would have a tendency to make men sober and better, but I doubt the good effect of making a crime of what through ages has been considered innocent.

14507a. In approving of restrictions, do you do that because you regard the traffic as in some degree a dangerous traffic ?—The use of intoxicating liquors is to a certain extent dangerous, especially to young people. The tendency is to take more and more.

14508a. There is that tendency, you think ?—There is that tendency, unquestionably.

14509a. Do you think the number of licenses in Toronto is small enough, or might the number be enlarged ?—My attention has not been called to that very directly ; but from what I have seen, I should judge that the number at present is about right.

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Certainly, it does not strike one going through our streets, as it does in Chicago, in many streets, that at every third or fourth door either liquor or tobacco is sold.

14510a. If the number of licenses in Toronto were increased, would you expect an increase of the evils that are supposed to result from the traffic?—I think it is quite probable.

14511a. So that it is well to limit the trade?—Yes.

14512a. Have you given attention to the social condition of the community, and to the criminal records?—Only generally.

14513a. Have you reached a conclusion as to what responsibility the drink traffic may have for poverty and domestic distresses and miseries, and for the crimes of one kind or another that are cropping up continually?—Oh, I think it has its influence with the other evils, for instance, improvidence and idleness.

14514a. Do you know of any other thing which in so large a degree is responsible, for these undesirable things?—Well, I think the majority of the criminal class are drinkers. Whether the drink caused them to be criminals or whether they drink because they are criminals I would not like to say: I do not know. There is no doubt, I think, that men who are bent on crime fortify themselves sometimes with stimulants.

*By the Chairman :*

14515a. Are the banking institutions sufficiently well supplied with capital at the present time?—I think so generally. I think they could probably use a little more at the present time if they had it: but speaking generally, I think our banks are well supplied with capital.

14516a. Do you think there is any lack of capital for general manufacturing purposes at the present time?—I do not think so; not for any legitimate purpose.

14517a. Do you think a capital of five millions, say, taken from the distilling and brewing industries, if I may so call them, would find ready employment in other manufacturing industries?—I do not think the inducements to enter into manufacturing industries at present are very great. If that capital were thrown idle, I doubt if it would be likely to find its way into other manufacturing industries. Some of it might.

14518a. There would undoubtedly, I suppose, be a large loss in the process of transfer anyway?—Unquestionably there must be. Any dislocation of that kind must be attended with loss.

14519a. In the matter of the employment of labour, we have a large milling industry throughout the country; do you think that employs more people than the distilling and brewing industries?—I should say so. There are more mills than breweries and distilleries, and of course there must be more men employed.

14520a. Take a large flour mill and a large brewery or distillery: in the matter of the employment of labour is there much difference?—I am not sufficiently familiar with the position to say. I should judge that there would be more to the same amount of capital invested in the mill than in the distillery; that is my impression.

14521a. If the liquor business were suddenly put an end to, would there not be, in large cities like Toronto, and in some other cities to a greater extent than in Toronto, a good deal of property that is now used for saloons and hotels that would be very largely depreciated in value?—I think so, unquestionably. I know that the effect of the Scott Act was to depreciate the value of hotel property very much indeed.

HON. TIMOTHY W. ANGLIN, on being duly sworn, deposed as follows :

*By Judge McDonald :*

14522a. You are a resident of Toronto?—Yes.

14523a. Are you a journalist by profession?—I have been for a good many years : not at present.

14524a. You were for many years a member of the House of Commons of Canada?—Yes.

14525a. You were at one time the Speaker of the House?—Yes.

14526a. We understand that you were for many years a resident of the Province of New Brunswick?—I was.

14527a. Have you a recollection of the period in New Brunswick when a prohibitory law was passed?—Yes, I have a very distinct recollection.

14528a. We would be very glad to have from you a statement in regard to that—as to what led up to that legislation, and as to what led to its repeal?—The movement in favour of temperance, afterwards of prohibition, began I think in the United States, whence it extended into New Brunswick. There were a large number of associations there, forming what I think they called the Sons of Temperance in those days. All these were very active. The leaders were very zealous, very enthusiastic, and were for a long time advocating the adoption of the prohibition system as the only cure for all the evils arising from intemperance. They gradually acquired a great deal of power politically in the province, made themselves felt in the elections, and, although they never elected a majority of the House of Assembly pledged to prohibition, they nevertheless exercised a very considerable influence over nearly all the members of that House. In nearly every county the temperance vote, as it was called, was a very powerful factor in the elections. A prohibition bill was introduced in the House by a Mr. Scouler, and, to the surprise of a great many, myself included, the bill passed the House of Assembly, and afterwards passed the Legislative Council. Sir Leonard Tilley was then a Member of the House and the Provincial Secretary. I know what were the private arguments at the time of a great many who voted for the bill. They said that this demand for prohibition had become so strong that it was difficult to resist it, and that it would be well to allow the experiment to be tried. Many, in talking over the matter in private—Members of the House of Assembly and some Members of the Government—assured me that they felt satisfied that within a year or two, or three at the outside, it would prove so complete a failure that the temperance men themselves would cease to demand its continuance, that it would then be repealed, and we would be rid of the trouble for all time. I did not feel that that was a principle on which the Members of the Legislature or the Members of the Government ought to act, and I took very strong ground—I then published a paper in New Brunswick—against prohibition and against the men who had voted for prohibition for such reasons as these ; not so much against those who believed in prohibition, but against those who I thought were temporizing with the matter so improperly. The Act passed and went into operation. The effect of it was to create a great deal of trouble, confusion, excitement and tumult all through the province, especially in the cities and towns. St. John city was in a state of commotion for weeks, almost for months I think. The Act was a complete measure of prohibition, prohibiting absolutely the importation, manufacture and sale of liquors as beverages, and it provided for the appointment of an officer by the Government who under certain conditions would sell such quantities of alcoholic liquors as might be required for manufacturing or other purposes specified in the Act ; but no other person was permitted to sell on any terms or anywhere. Liquors brought into the province during that time, though entered at the custom-house, were seized and destroyed. I myself saw Custom-house officers emptying barrels of brandy and wine into the gutters. The liquor places were all kept open everywhere, and so great was the excitement and so strong the feeling that in many places the screens were thrown aside and men would drink openly to show what their feeling was with regard to this Act. Magistrates were selected to try the cases brought under the Act by those who were determined to enforce it—members of

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temperance organizations and others who were known for their extreme temperance views. I remember one particularly, Mr. Nathan Demille, a ship owner of St. John, and a very ardent teetotaler. He held court day after day, and it was attended not merely by the ordinary crowd, but by an immense crowd, blocking up all the passages to the streets, and causing tumults on the streets. After the cases were heard the parties who gave evidence were hooted on the street; I do not know that they were beaten, any of them; but they were followed and crowded and hooted; and the excitement ran very high for a time. One of the evil effects of the law was that strong liquors—liquors of the very worst kind, were sold. I am now speaking not from personal knowledge, but from what I believe to be unquestionable testimony; in attics and out-of-the-way places jugs and mugs were kept and liquors sold. I believe it was also the fact that in many cases men who had not been in the habit of drinking very much, got kegs of liquor into their homes; and in several cases, that I know of, it was said that men who had previously been regarded as men of sober lives, respectable men in their way, actually drank themselves to death during that period. It was said, and I have no doubt truly, that there were more deaths from drunkenness during that period in the history of the province—many more in a few months than there had been in years. The state of excitement continued for some time, until the Governor of the province, Mr. Manners Sutton, interposed and called his council together at the seat of Government, Fredericton, and I believe demanded of them that they should either take sufficient measures to enforce this law thoroughly and at the same time maintain the peace of the province, or that they should call the Legislature together and ask them to repeal it. They refused to do anything: they said it was for them to determine when any change of policy might be required, not for him. He, I believe argued that as the representative of the Queen he was responsible at all events for the peace and good government of the country, that the province was not in a state of peace at the time, but a state of riot and disorder; and it virtually ended in the dismissal of his ministry. This case has often been referred to as marking the history of our constitution and its effect as to the powers of the Sovereign and the Sovereign's representative. The objection made at the time to his course was not that he had dismissed his ministry—his power to do so was commonly admitted I believe—but that he had not taken the proper mode of doing it. At all events it was done, a new Government was brought in, the House dissolved and the whole country asked to pronounce on this prohibition question, yea or nay. The result was that out of the forty-one members who composed the House, only two men were returned not pledged to vote for repeal; Mr. Gillmor, who now represents Charlotte in the House of Commons, and Mr. McClelland, now Senator. All the other thirty-nine were sent back pledged to repeal the prohibitory law. The House met as soon as possible, and immediately repealed the Act. The full effect of the Act, however, was felt for many years afterwards. The selling in jugs and flasks and in out-of-the-way places proved so profitable to those who engaged in it that it was continued; and the court of sessions in the county, the Police Magistrate in the city, and the police found it almost impossible to put an end to it. For two or three or perhaps five or six years afterwards prosecutions for selling without a license were of almost every day occurrence. I think the effects upon the habit of the people at large was the very reverse of beneficial.

14529a. Did they then revert to the license law?—They then reverted to the license law.

14530a. We have been given to understand that while thirty-nine or forty out of the forty-one members returned were in favour of the repeal of the Prohibitory law; politically they were about evenly divided—that it was no question of politics: can you tell us how that was?—Politics was altogether lost sight of in that election, that is, party politics. The only question was prohibition or no prohibition. As a matter of fact they were about equally divided as to politics, and afterwards they did divide on party lines, and stood twenty to twenty, the Speaker holding the casting vote. I do not say that there were not a great many of the electors influenced in voting by their regard for party politics, but it was not in the ordinary sense a party contest. I took perhaps a larger part in the discussion than any other person in the province at that time, and

I did so apart altogether from party politics, although I had been supporting the Government up to that time. It was only, because they had consented to the passage of that Act under circumstances that I did not think just, that I took up the cry of anti-prohibition, and assisted the party who endeavoured to get rid of prohibition.

14531a. Do you know whether the question came up before the electors as to the support or non-support of the Governor in his policy, I mean as Governor?—Those of us who approved of his conduct said he was right.

14532a. Was it his conduct in this particular matter?—It was. There was no other question in this particular election; everything else was forgotten. Of course, the Governor was lauded by some and denounced by others. It may be that some were influenced by their loyalty to him as the representative of the Queen. New Brunswick is an exceedingly loyal province, and I think the time has never occurred there, when the Governor took an active part in political affairs, that he did not find a majority to support him.

14533a. I will now ask the secretary to read the questions remitted to this Commission for inquiry. [The secretary read the same.] Will you kindly make a statement of your views on these questions?—The first question is as to the effect of the liquor traffic on all interests affected by it in Canada. That is a rather vague and a very general question. The mere traffic of buying and selling, I do not know that it differs in its effects from any other traffic. Strong drink is in most cases at best a luxury, and I do not know that, where it is not used to excess, where it does not produce drunkenness, the buying or selling of liquor differs very much from the buying or selling of any other luxury. I presume that the use of luxuries could be profitably dispensed with in all cases. There may be cases, however, where the use of liquor is not a luxury, where it is useful as a stimulant. I think I have known a great many cases where men have drunk moderately and found it useful, and in that case I do not know that it differs very largely from the use of food, or that the traffic differs very largely from the buying and selling of food. But there is no question about the fact that the excessive use of liquor leads to enormous evils, and in so far as it is indulged in to excess, that it is mischievous—more mischievous, probably, than any other form of business or traffic that can be imagined. As to the measures which have been adopted in this and other countries with a view to lessen, regulate or prohibit this traffic, I am sorry to know—I do not say believe, but know, that no measures have yet been devised anywhere that have proved sufficient to wipe out altogether the evils resulting from the excessive use of intoxicating liquors. I am somewhat familiar with the working of the prohibitory law in the State of Maine. In those portions of the State where a prohibitory law is not at all necessary it may be said to work well; but wherever the people choose to indulge in the use of strong drinks, they still find the means of indulging. I have been in the city of Portland, and I remember one occasion particularly, a good many years ago, when I had to spend a couple of days there because of an interruption of the steamboat traffic on which we then depended. I met a young gentleman from St. John, with two or three other friends, and this question of the Maine law or Neal Dow law came up. He assured us that there was no difficulty in getting any quantity of liquor on almost any corner of any street; and to satisfy us on that point, he took us to one or two places; and it was evident that any quantity of liquor could be got by those who chose to seek it and knew how to do it. There was also the fact, which I believe was unquestionable, that while the city of Portland had about the same population as the city of St. John, New Brunswick, and had a much smaller trade with the outside world than St. John, the number of persons actually arrested and taken before the Police Magistrate in the city of Portland for drunkenness and for crimes arising out of drunkenness, was larger than the number arrested in the city of St. John. And yet we know that wherever a prohibitory law is in force, greater pains are taken to prevent intoxicated persons falling into the hands of the police than anywhere else; because there is always the danger that when the intoxicated person comes to his senses he may tell where he got liquor and how he came to get drunk. I was also in the city of Bangor, and there there was scarcely any pretense at all of hiding the sale of liquor. There was some little attempt to screen it, but very little. I remember the first time

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I went through there on my way to Ottawa, stopping at a large hotel and roaming about, a turn by accident brought me into an immense bar-room, one of the largest bar-rooms I ever saw, fitted up with all the usual fittings of gold leaf and polished brass, gas blazing all around, and some twenty or thirty persons in the room drinking.

14534a. Have you had any experience of the Scott Act in Canada?—Only in this province. I ran an election in North Simcoe while the Scott Act was in force in that county, and I could not see that it made much difference. I had to go to the taverns while holding meetings: I stopped at the taverns every night; and I could not see that there was much attempt at concealment of the fact that people were drinking all around. The result of my observation is that where attempts are made to prohibit the sale of strong drinks, a great deal of craft and cunning and falsehood and in some cases perjury, I might almost say, is taught by it. There are ways of being shown around corners, attempts at concealment, and denials, sometimes under oath, of what is known to be true but cannot be proved. In that way the results are very evil and mischievous. I think it also leads to a great deal of drinking of another kind. Instead of going into a hotel and taking a glass of ale or whisky or brandy, many who want liquor are induced to buy it by the bottle and carry it off in their pockets; and in many cases where a man has a bottle of strong drink in his pocket, he cannot resist the temptation of tasting it very frequently, so that he probably drinks more in that way than if he went into a saloon or hotel and drank by the glass. I think I remember having seen some years ago in St. John a description in the *Christian Intelligence* of a trip made up the river by the Rev. Dr. McLeod, in which he spoke of a large number of men on the steamer who had provided themselves with bottles of strong drink, and who before they had got very far up the river were in a state of intoxication.

*By Rev. Dr. McLeod.*

14535a. I do not recall the incident now particularly; how long ago would that be?—I do not know.

*By Judge McDonald:*

14536a. There was no prohibitory law at that time, I suppose?—There was something of the kind in the city of Fredericton, where I think Dr. McLeod was stationed in the charge of a church.

*By Rev. Dr. McLeod:*

14537a. How many years is it since you left New Brunswick?—Ten years. It was ten years before that. Was it the Scott Act?

14538a. The Scott Act has been in force fifteen years?—Then it was the Scott Act, because the Scott Act was first adopted in Fredericton. I know that there were many penalties for its violation, and I think I saw enough, stopping at the hotels, to satisfy me that it was being violated every moment. I think I have answered the next question; "the results of these measures in each case." I think the results have not been beneficial on the whole, but the very reverse. In a great many cases the mischief done has been enormous, and the good done has been very small in any case. If a prohibitory liquor law could be enforced, there is no doubt that a very large measure of good would be the consequence, because drunkenness and the excessive use of alcoholic liquors would be put a stop to; a great deal of the waste of means on the part of the people who can ill afford it would be put a stop to. In that way a very large amount of good would be realized; but, if I may express an opinion, I have always held that it is not permissible, in order that good may thus be effected, even if it were possible to effect it, that the liberty of the individual to choose for himself what he shall drink and what he shall wear, should be interfered with. I do not believe that Legislatures have any right to go that length. They may have the power to pass such an act; they may have the power to enforce it, though that is questionable; but I do not believe they have the right to pass such an act, depriving ninety persons of the moderate use of that which may be a harmless enjoyment to them for the purpose of reforming the hundredth who uses it to excess. I do not see on what ground such a right can be



claimed. Yet if such a law could be enforced, there would be a certain amount of good from it ; those persons who indulge in strong drink to excess would be prevented from so indulging.

14539a. Would the harm to other people more than off-set the good you speak of ?—There is this question, how far our Legislatures may proceed. I do not believe, I never have believed, in the omnipotence of Legislatures. Social conditions, I suppose, would also be improved. I believe that the social conditions of this country have been immensely improved in my own time. I remember distinctly the time when in many respectable houses three or four decanters stood on the sideboard, and every visitor coming in was expected to partake and as a rule did partake of something, and even ladies were offered wine and cake. That has all disappeared. I remember very well, too, in my boyhood knowing a number of old gentlemen who as a matter of course always drank their five or six glasses of whisky punch after dinner ; and when the occasion was a special one, I have known some to drink their fifteen or twenty glasses of whisky punch before going to bed ; and it was regarded as a capital thing if some half dozen of the guests fell over the table before the evening's entertainment was over. We do not find anything of that kind now.

*By Judge McDonald :*

14540a. To what do you attribute the change ?—Religious influences have always been on the side of temperance, and these have become stronger in our days than they were in the olden time. Then, we are aware of a great change of sentiment in regard to such things. What was considered a very capital or clever thing on the part of a guest twenty or thirty years ago is now regarded as rather disgraceful than otherwise. What has brought about that change of sentiment it is rather difficult to say. Of course, the prohibition advocates and the temperance societies will probably claim that they wrought it or contributed largely to it. I think there has been a growth of intelligence and better feeling on the subject, but what has caused that growth it is not easy to determine.

14541a. I may say that in a letter which I received from His Grace the present Archbishop of Toronto, in reference to the question which we have directly under consideration, he informed me that it had been his rule during the whole time of his episcopacy, which I think he said had extended over twenty-five years, to ask every child at confirmation to take a pledge of total abstinence until the child should come to the age of twenty-one years. Have you noticed what the effect of that has been on the young people as they have grown up ?—It is not easy to say what the effect has been. Whether that is what has prevented the younger people taking strong drink to excess, or whether they have kept that pledge, it is not easy to say : but amongst the Catholic portion of the young men and young women of the city I have never seen any disposition or leaning towards an excessive use of strong drink. Speaking generally, I think the effect of that would be beneficial.

14542a. My recollection is that His Grace added that as the result of inquiries which he had made, it was found that the young people had adhered to the pledge ?—I have no doubt it is so. I know that in my own family it has been so, and I think it has been exceedingly beneficial. My two eldest sons, as very small boys down in St. John, took the pledge from the priest in that way, and observed it very carefully—never violated it in any way ; and they are now young men without the slightest desire to drink at all. I have another young son to whom his priest administered the pledge a short time ago, and I have not the slightest doubt that it will be beneficial. In regard to the effect of a prohibitory law on the agricultural interests, I do not know that it would specially affect them. It affects the agriculturist in the same way as any other man to drink to excess. We know that farmers were formerly very prone when they came to market, to take a little refreshment, and it was sometimes allowed to grow into excess.

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*By the Chairman :*

14543a. That clause refers to the effect of prohibition on the farming interest?—That must depend on the success with which the law is enforced. If the whole farming population is made sober, then the whole farming interest is benefited.

14544a. It refers to the market for their productions?—No doubt the liquor business does furnish a market at present for the farmer's grains and other produce, and probably the best market; but I do not think that is a consideration that ought to have much weight in determining this question at all. If prohibition in itself is essentially a good and necessary thing, then everything of that kind should give way. The liquor business does afford the farmer a market for his barley; and if we could only induce our friends on the other side of the line to use Canadian barley and so brew better liquor than they can brew without it, the farmer might get a better price. I think we might let that question rest there, because I do not think it is a consideration that ought to have much weight. With regard to industrial and commercial interests, an industrial community would be more industrious and successful.

14545a. There would be a considerable amount of property that would be rendered useless?—Yes. I heard Mr. Mason speak of that, and I largely agreed with him as to claims for compensation that brewers, distillers and others who have invested their means in this particular business under the section of the law, would have if a prohibitory law were to be enforced. If we took away by law the business of any other class, I do not think we would dream of doing it without providing for compensation. If as the result of the ordinary competition in business ten men go down and leave an increase of business to the eleventh man, legislation cannot profitably or safely interfere; but if by the direct and immediate effect of the legislation itself, you sweep away a business which you have previously legalized, if I may use that term, then I think compensation is due to those who are in that way deprived of the value of their property—not deprived of their property, but of the value of it. As Mr. Mason said, a brewer or distiller puts up a building peculiarly adapted to his business: you destroy that business, and the building ceases to be as valuable as before. He puts into it a valuable plant: you deprive him of that: it is useless, becomes mere old metal. If you open a street through a district of this city, depriving a man of the value of his property, you do not take it without compensation. But how far that idea of compensation can be carried is a very, very difficult question to solve. Where are you to stop? Is the saloon-keeper, who is only licensed from year to year, to be regarded as having a claim to compensation? It is hardly fair to say that he is only licensed from year to year, and to rest virtually on that, because while he is licensed from year to year, there is a strong understanding, an understanding almost equal to a compact, that if he conducts the business according to law and to the satisfaction of those who administer the laws, his license will be renewed. He has to fit up his place at very considerable expense, and if his license is taken from him, the amount spent in that way will be lost to him; it will be of no use for any other purpose. If you determine that prohibition must be had at all costs, this question of compensation would have to be discussed very carefully.

*By Rev. Dr. McLeod :*

14546a. Is there anything in this view, that by the agitation that has been going on for many years looking towards the prohibition of the liquor traffic, the men engaged in the manufacture as well as the men engaged in the sale, have had a sort of notice, and have engaged in the business at their own risk?—I do not think so. We have all kinds of measures propounded from time to time for the general benefit, which being carried out would involve somebody in loss.

14547a. For instance, Mr. Massey, the president of a company that manufactures agricultural implements, was before us the other day, and he said that if a change in the tariff made it practically impossible for him to carry on his business, he did not think he would have any claim on the Government for compensation?—If you deliberately passed an act to prevent Mr. Massey from manufacturing any more agricultural implements, if you, by the immediate effect of the act, took away from him his business, I think he would be entitled to compensation.

14548a. Is not the effect, and the principle involved in both cases, practically the same?—No, I do not think so.

*By Judge McDonald :*

14549a. Do you think a change in the tariff would be more in the line of a regulation under the license law, as to hours of sale or something of the kind, which would be such that a man would not care to carry on the business, rather than in the line of a prohibitory law?—Clearly so, I think, because no Government or Legislature would pretend to frame a tariff for the purpose of preventing the manufacture of any articles in this country: they must always keep in view what they claim to be the just claims of the existing manufactures. I think the most extreme free trader in Canada would say that if by the operation of the existing law an industry has been brought into existence, or has been nourished to grow from a small industry to a very large one, no government should step in and ruthlessly shut up that industry. I think you ought to have reference to the fact that by your previous act you encouraged the manufacturer to invest in that industry.

14550a. Then, in the event of a change from the present condition of things to free trade, there would be a large expense to compensate those who might suffer?—An immediate move to free trade, I presume, might hurt some persons. Of course, that would be a matter of investigation: we are merely assuming that it would. There are other broad principles by which we should be bound: nobody has a right to expect, I suppose, that a Legislature should pass laws to enable any one to live at the expense of his neighbours. That question of compensation will be found a very difficult one should it ever become a practical question. At present I am merely regarding it theoretically. Then, with regard to the revenue requirements of municipalities, provinces and the Dominion, I suppose that means revenue from licenses, and customs and excise duties. I have given that question a great deal of consideration during years past, and I know that a great many people regard it as a very important one—where we are to get the seven millions now obtained from the liquor traffic. If the people have the money the Government and the Legislature must largely lack the ability they ought to possess if they cannot get enough out of them to carry on the Government somehow.

*By Rev. Dr. McLeod :*

14551a. You think the Government could manage to get it?—The Government manages to get it if the people have it. But it may be very much more difficult to get it in other ways than by taxation on the manufacture and sale of liquor. But the difficulty of getting the revenue ought not to be any objection to the passing of a prohibitory law.

*By Judge McDonald :*

14552a. If a prohibitory law is considered desirable, even direct taxation may be resorted to?—Anything. If really you determine that a prohibitory law is essential to the welfare of the people of this country, and that you have a right to pass it, then any consideration of that kind should not stand in the way for a moment. As to its capabilities of efficient enforcement, that is not the ground on which I have ever rested my objection to a prohibitory law—that it cannot be enforced. Nevertheless, I am quite satisfied that it is absolutely impossible to enforce it, and the attempt to enforce it, in fact the very passing of the law, must lead to an immense amount of crime of a very serious character—falsehood, perjury, concealment of perjury, and very often acts of extreme violence. I cannot imagine how such a law could be enforced. To give you some idea of the difficulty of enforcement, I may mention that thirty or forty years ago in the city of St. John, long before a prohibitory law was dreamed of there, we had a very large number of men who everybody knew lived by smuggling. I knew the men, everybody knew them, even the customs officers knew them. Some of them lived in the most extravagant style. One of them brought from Virginia five or six racing horses, which he sported about the country. These men were watched constantly by the customs officers, the custom officers knew all their haunts, knew

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exactly how they smuggled, knew where they deposited their liquors on the islands along the coast; and yet I believe they did not succeed in seizing one gallon that these men smuggled. I remember that for years and years all the liquor known there as "white-eye," a very strong alcohol, made I believe from molasses and treacle, distilled at a very high proof, some ninety-five or a hundred proof, and put up in small kegs which were easily handled, was smuggled; all the liquors used by the workingmen were smuggled. Of course, a little was brought in legitimately as a cover for the smuggling. If you were to increase the temptation to smuggling by the liquor law, these men would bring in at all risks just so much liquor as the people would have, and it would find its way all over the country. Dr. McLeod knows what severe measures were employed in the city of Fredericton to enforce the Scott Act there. I have seen it stated in the papers over and over again that the efforts made to enforce the Act there were exceedingly successful: and yet we were told as an evidence of that success that there were several hundred convictions in the course of the year. The convictions were evidence that the Act was not enforced—that there was a large quantity of liquor sold. It is simply impossible, I think, to enforce an act of that kind in a country situated as this country is, where there are such facilities for crossing the frontier and bringing in all kinds of stuff without being seen by a customs officer. I think the efficient enforcement of a prohibitory law is absolutely impossible.

14553a. What is the effect upon the moral sense of a community of a law upon the Statute-book which cannot be carried out to any greater extent than you believe a prohibitory law could be carried out?—I think the effect would be very bad upon a very large class of the community. Of course, you would have a number of persons in every community, well disposed persons, who would still be law-abiding and law-respecting, but amongst the mass I think it would be a very dangerous experiment indeed to attempt to enforce a law which so many would hold to be an unjust and unfair law, and one beyond the competence of Parliament to enact.

14554a. What is the effect upon the moral sense of the community of having a law on the Statute-book which is not observed?—The effect, I think, is injurious, and if you attempt to enforce the law, I think the effect will be more injurious still.

14555a. What effect does it produce in the mind of the community as to other laws?—I think its tendency must be to destroy respect and regard for all laws.

*By Rev. Dr. McLeod:*

14556a. Do you remember how long the deplorable state of things, to which you refer, existed in St. John?—It was several weeks—not very long, but the bad effects of selling liquors in unlicensed places, holes and corners, attics and cellars, afterwards continued for a long time.

14557a. Were there any difficulties in the way of prosecutions at that time?—None except what arose from the strong feelings of a large number of people, who crowded around the court-house and manifested strong and violent passion.

14558a. Do you remember whether some of the magistrates who presided over cases of prosecution were accused of certain irregularities, were mulcted in considerable amounts, and were unwilling to go further?—Now that you speak of that I have a recollection that there were some such cases. Of course they were watched very carefully. I cannot precisely remember who they were.

14559a. If the law had had an opportunity of continuing longer, do you think it would have been better enforced?—I do not think so. I think those who were active, zealous members of the temperance societies were tired of it, and I think the efforts at enforcement had almost ceased.

14560a. Do you remember whether, immediately on the proclamation of the coming into force of the law, the liquor sellers actually closed up their places, and kept them closed for some days or weeks?—I do not remember that at all, but I do not think they did.

14561a. But the people arose, and there was really mob law for awhile?—If you wish to call it so.

14562a. People opposed to the prohibitory law in St. John formed a mob to resist that law. Prohibitionists and other temperance people may object to a license law, but can you recollect an instance in which they created disorder in consequence of such a law?—No, I cannot.

14563a. Would you argue from that, that it is because they are a different class of people?—No; I do not think so. If you ask me my opinion of the prohibitionists, I would say that some of them are very violent indeed; they allow their views to carry them very far indeed.

14564a. Can you recollect any instance where anything of that kind was done by them?—I do not know what they could do, unless they demolished or smashed the saloons.

14565a. Have you known of that being done?—I have not known it at St. John, but I have heard of it. I have seen stories of women going around among the saloons and smashing things, and then kneeling down to pray.

14566a. But your objection is to the principle of prohibition?—Yes.

14567a. And you have always been opposed to prohibition?—I have.

14568a. Both as a journalist and as a Member of Parliament?—Yes.

14569a. When in Parliament you spoke against the Scott Act, I believe?—I did, because I believed it would lead to no good.

14570a. Is the report correct that you took ground against the proposed plebiscite at the convention in Ottawa?—Very strong ground, in the short time I had.

14571a. You are in favour of the system of licensing the trade, are you?—I am in favour of the system of license. Not that I think our licensing is a permission to sell; it is a restriction on selling. I am in favour of regulating the sale so as to reduce the evils arising from it to the very smallest proportion.

14572a. You do regard the trade, then, as productive of evils, and as needing to be regulated in order to minimize the evils?—In order to minimize the evils.

14573a. You favour, then, the restrictions thrown about it?—I will say in a general way that I am in favour of any restrictions calculated to get rid of the evils.

14574a. Have you ever given any consideration to the system of control by government such as prevails in Norway and Sweden?—I have, and I do not know what to think of it. If I may judge by some of the accounts I have read of it, I think it would be a very good and proper system. I remember once coming over the Intercolonial Railway while it was under construction, on my way to the capital; and among these hills where hardly anybody lived I was surprised to see something that looked like a drinking place. I said to the engineer in charge, "How is it that you allow a place like this to run where you may so easily prevent it?" He said: "We have all talked over the matter, the engineers, the contractors and the rest, and we think it is better to have a place run under our own control than to have liquor brought in here and distributed among the men surreptitiously, and in what quantities we do not know. We place a man in charge under our own control; the contractors supply the liquors; and any man can get liquor there, but he is not allowed to get a second drink, or a third at any rate, at one time. We find that it works admirably, and there is no drunkenness among the men." That is I understand the Norway system.

14575a. Have you thought about the question of putting additional restrictions upon the trade in the stronger alcoholic liquors and encouraging beers and light wines?—If the use—substitution is a better word, probably—of light beers and light wines in place of the stronger liquors could be encouraged in any way, I think it would be well that that should be done. I think the introduction of lager beer in the United States, so far as my observation goes, has done very much to reduce the absolute intemperance there. A few years ago I spent four months in the city of Cincinnati, and there on one of the principal streets, Vine Street I think it is called, where there is an immense thoroughfare, every third or fourth house is a lager beer saloon. I passed through that street night after night at about eight o'clock and I made it a point to look for drunken people or people under the influence of liquor; and in all that time I never saw but one who I would say had taken too much. Of course, there may be, and must be in the back slums, places where if you choose to go you will find some drinking to excess; but

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those to which I refer were all lager beer saloons—nothing sold in them but lager beer. There were people going in and out freely. I have seen more drunkenness in one morning in the city of Toronto than I saw there in four months.

14576a. Some gentlemen have suggested that it would be well to increase the customs and excise duties on whiskies and brandies and all the stronger liquors, and the license fees as well, and put additional restrictions about that trade, and reduce the cost of the other liquors. Do you suppose that would have the effect of substituting the one kind for the other?—It might have some effect in that way. I think, however, that it is more a matter of taste than anything else. The large use of lager beer is of comparatively recent date in the United States.

14577a. Speaking of the personal liberty idea, would you regard the making difficult and expensive the getting of whisky by the man who likes it as an interference with his personal liberty? If his taste leads him to that, should he not have the same right as the man who uses wine and beer?—He ought, as long as he indulges in it rationally. There are a great many advocates of high license, and in Toronto they have reduced largely the number of drinking places in a few years. I cannot say what the effect of that is. Some say it has been very beneficial.

14578a. What is your idea of high license?—I regard strong liquors except in a very few cases as a luxury, and I believe in taking all you can get out of luxuries, either for municipal or national purposes, and so on that ground I would say, if you can work it advantageously, make the license as high as you can. But as a means of promoting temperance, I do not see that it would be advantageous. I know that it has been said that if you make a man pay a thousand dollars for a license it becomes his interest to see that others do not sell without license, and in that way diminishes the amount of drunkenness. As to that I cannot say.

14579a. Do you think it has the effect of establishing a monopoly of the trade?—In some cases I think it may. A license becomes a valuable asset when you reduce the number so much.

*By the Chairman :*

14580a. Do you regard the putting of restrictions around the sale of ardent spirits in the same light as prohibition?—Oh, no, I do not.

14581a. Did I understand you to say that you had been in one or more of the Scott Act counties in Ontario when the agitation was going on?—Not when the agitation was going on, but when the law was supposed to be in operation.

14582a. Have you formed any opinion as to the causes which led to the repeal of all the by-laws putting in force the Scott Act in the counties of Ontario?—I presume because those who were instrumental in getting the Act adopted found that it was doing more harm than good, and afterwards consented to its repeal.

14583a. Do you regard it as a result of a change in public opinion in respect to the efficiency of prohibition, or as resulting—as has been stated here sometimes—from the manner in which the law was enforced?—I regard it as a result of the manner in which the law operated—that a very large number of those who in the first instance signed the petitions asking for the submission of the Act, and who voted for it, were afterwards convinced that the Scott Act as it then existed, and under the circumstances then existing, was productive of evil rather than of good.

ARTHUR B. LEE, on being duly sworn, deposed as follows :—

*By the Chairman :*

14584a. You are Chairman of the Board of Harbour Commissioners of Toronto ?—Yes.

14585a. How many members has your Board ?—Five.

14586a. Are they elected or appointed by the City Council ?—Two of them are appointed by the City Council, two by the Board of Trade, and one by the Dominion Government.

14587a. What in a general way are the duties of the Board ?—Virtually to look after the revenue of the harbour, and to see that it is kept in an efficient state.

14588a. Are you brought much in contact with the men employed about the harbour or on the shipping ?—Very little. The harbour-master comes in contact with them.

14589a. Can you tell us whether there is much intemperance among the men about the harbour ?—There is some, but not to a great extent—not to as great an extent as there has been in past years.

14590a. How many years have you been Chairman ?—I have been nine or ten years on the Board. I represent the Government on the Board.

14591a. Do you think there is more or less intemperance now than there was when you joined the Board ?—I could not speak from observation. I am not much among the sailors down there, but I see a good deal among men in the city. I employ a good many men in my business.

14592a. What is your business ?—I am a hardware merchant, but I have a foundry as well, and a good many men work in the foundry—from one hundred and fifty to two hundred moulders.

14593a. And in your hardware business ?—From fifty to sixty.

14594a. Do you consider that the license law is fairly well enforced in the city ?—I think it is, very well indeed.

14595a. Is your police efficient ?—Yes.

14596a. Do you think that the people generally in Toronto are more temperate than they were ten years ago ?—Yes. I do not think there is so much drunkenness.

14597a. Do you find that to be the case amongst the men employed in your foundry ?—Foundrymen, moulders especially I think, are a pretty hard lot to deal with. I cannot say that I have seen much change in them.

14598a. Have you much intemperance among them now ?—There is a good deal.

14599a. Do they lose much time through their disposition to over-indulge ?—Yes, on holidays and occasions of that kind they will over-indulge. I do not say all, but about ten per cent, very likely.

14600a. Do you mean by that that on holidays they indulge to excess, and that they are not at their work the day afterwards ?—It is often the case that we lose a good part of the next day after a holiday.

14601a. Has that always been the case amongst your men ?—Generally the case amongst the foundrymen.

14602a. Have you had any experience of the working of the Scott Act in any of the counties where it has been in force in Ontario ?—I have been in some of the counties where it was in force.

14603a. Were you long enough there to gather any general impressions with regard to it ?—Yes.

14604a. Do you think it was effective in curtailing the use of intoxicants as beverages ?—From my own observation I do not think it was.

14605a. Do you think it curtailed the vice of drunkenness ?—I could not say as to that. I have seen liquors sold in the taverns, in Scott Act places.

14606a. Are you in favour of the passage of a prohibitory law for the whole Dominion ?—No, I am not.

ARTHUR B. LEE.

14607a. What are your objections to it?—For one reason, I do not think it could be enforced, and I think it is infringing on the liberty of the subject to enforce the opinions of one part of the community upon another part against their own free will. Consequently, there will be a great deal of opposition to it, and if it is carried at all it will be only by a small majority, and there will be a large minority whom it will be very hard to bring into line with the law, who would disobey the law without considering it any crime to do so.

*By Judge McDonald :*

14608a. In the Scott Act districts, where you were, did you notice what sort of liquors were sold in public?—Both whisky and beer.

14609a. Were you sufficiently acquainted with the places to know whether the men engaged in the traffic were those who had previously held licenses, or whether new places had sprung up?—I was in one place where the man used to sell liquor under license.

14610a. And in his place it continued to be sold under the Scott Act?—They had different ways of producing it. I was at one place where the landlord put a jug of beer and a number of glasses on a table in the back parlour; he did not charge the people for it, but there was always enough money on the table afterwards to pay for it.

*By Rev. Dr. McLeod :*

14611a. Had he a bar?—He had a bar, but he was supposed to sell only what are called soft drinks—lemonade, ginger beer or something of that kind; but I was told that you could get anything else you wanted at the bar.

14612a. Does the drink habit affect your men to any extent?—I do not suppose it affects them to any great extent. They are all a strong, hardy class of men.

14613a. They lose something from that?—They lose time from it.

14614a. Have you cases where one man being away prevents others from doing their work?—We have had cases of that kind.

14615a. Have you had any accidents about your establishment as the result of men drinking?—Not that I know of. There may have been.

14616a. Is there a drink shop near your foundry?—Yes, too many of them, I am sorry to say.

14617a. Do you find that the existence of these places in the neighbourhood of the foundry are a temptation to your men to drink?—Certainly they are.

14618a. I suppose you know something of the home life of your men?—Not the foundrymen, because I am engaged in the hardware business. I do not take an active part in the business of the foundry: it is left in the hands of the manager.

14619a. You do not know whether the spending of money by your employees in drink is felt in the way of fewer comforts in their homes?—No, I could not say about that.

*By the Chairman :*

14620a. Have you had any actions brought against you under the Workmen's Compensation Act?—No, we have not. But we are protected by taking out what are known as employees' accident policies. We insure, and leave the companies to settle any cases that happen.

14621a. Have any cases happened in your establishment?—Oh, yes, we have had some cases, but not very serious ones.

14622a. Have you had men injured?—Yes, to a slight extent.

14623a. Did the injury arise through the employee being under the influence of liquor?—No, not to my knowledge.



EDWARD GURNEY, on being duly sworn, deposed as follows :—

*By the Chairman :*

14624a. Your business ?—Iron founder.

14625a. You manufacture stoves, largely ?—Yes.

14626a. How long have you been carrying on your business in Toronto ?—About twenty-five years.

14627a. Is not your principal establishment in Hamilton ?—They both belonged to one concern until last January, when they were turned in two companies. I am only interested in the one here now.

14628a. How many men have you employed ?—I think between three and four hundred.

14629a. Have you much trouble with them on the score of intemperance ?—No, sir ; none whatever.

14630a. Are they all total abstainers ?—I think not.

14631a. I did not know, but you had some rule for employing only total abstainers ?—No.

14632a. Of the three hundred, how many are moulders ?—I think about one hundred and ten.

14633a. Do you include pattern makers in that number ?—Yes.

14634a. Do you find moulders as a rule a class that it is difficult to regulate ?—No.

14635a. Are they more given to the use of intoxicants than the other men you employ ?—I think not.

14636a. Have you formed any conclusion as to what percentage of your men are total abstainers ?—I have not.

14637a. From your observation, do you think the license law is fairly well enforced in the city of Toronto ?—I do.

14638a. Do you think the reduction in the number of licenses has had a tendency to reduce drunkenness in the city ?—Some cause has been at work in that direction—I cannot tell what.

14639a. You think there has been a reduction of drunkenness within recent years ?—Yes, decidedly.

14640a. Have you formed any conclusion as to what causes the reduction may be credited to ?—Well, I have an opinion, though I do not think it is worth any more than any other man's opinion. I think public sentiment has been growing in that direction.

14641a. Is it the result of the efforts of the churches and temperance societies ?—I think they have had their influence, a very large influence, in that direction.

14642a. Would you credit any portion of the reduction to the changes in the law ?—Well, I am not at all familiar with the changes in the law. I know of the fact, but as to the causes I do not know very much about them.

14643a. Do you think a prohibitive law for the whole Dominion, prohibiting the manufacture, importation and sale of all intoxicants for beverage purposes, would be an improvement on our present system ?—If it were practicable to carry it out, I should say yes.

14644a. Are you prepared to express any opinion as to whether it is a practicable measure or not ?—I think it is thoroughly impracticable.

14645a. Have any suggestions occurred to you for improvement in the present system of granting licenses and regulating the traffic ?—I think high license has a very strong tendency to create a detective agency, just because of the high license. I think if licenses are very high, self-interest would greatly promote the carrying out of the law, while on the other hand I do not think prohibition could be carried out well. I do not think that public sentiment has yet grown to such an extent in favour of temperance, as to cause people to sacrifice very much for the protection of the law.

EDWARD GURNEY.

14646a. Do you think the prohibitive system is a good one in principle?—I think that anything that would do away entirely with intemperance and the opportunities for intemperance, would be a good thing.

14647a. Is it your conviction that the prohibitive law would accomplish that result?—I believe not.

*By Judge McDonald :*

14648a. Have you yourself had any experience of the working of a prohibitory law?—No; except such as every man has who visits Maine.

14649a. What was your experience there?—My experience in prohibitive territory has been confined to Maine and to the prohibitory districts in Illinois; and in both instances I found that people had no difficulty in getting intoxicants; and the thing that distressed me in connection with it was that all good citizens seemed to laugh at the fact; it seemed to be a matter of amusement rather than of condemnation on the part of any one.

*By Rev. Dr. McLeod :*

14650a. Your objection to prohibition is because of its impracticability?—Yes.

14651a. You speak about public sentiment not being sufficiently strong. Should public sentiment grow to sufficient strength, would you then anticipate good results from a prohibitory law?—Yes.

14652a. Does the drink traffic or drink habit interfere with your men in any degree?—No. There has been a great change in the last ten years in that regard. I find that workmen, so far as my experience with them is concerned, are very much more sober than they were ten years ago.

*By the Chairman :*

14653a. Do you think the labour societies have had any effect in that direction upon the working classes?—I do not think so. I think that anything that has a tendency to take men out of their homes at night has a tendency in the wrong direction—those societies the same as other societies.

*By Rev. Dr. McLeod :*

14654a. Do you become acquainted somewhat with the home life of your employees?—Not perhaps as much as I should. I try to keep in touch as much as possible with them through the superintendents of the different departments.

14655a. Have you observed yourself, or learned through your superintendents, that the change in the drinking habits of your men has brought about any improvement in their home conditions?—There is no doubt about that. It follows inevitably.

*By the Chairman :*

14656a. If there is any other statement you would like to make, we should be very happy to hear from you?—I think I have nothing further.

The Commission adjourned.

TORONTO, Nov. 1st, 1893.

The Commission met at 10 o'clock, a.m.,

*Present :*

SIR JOSEPH HICKSON, Chairman, Presiding.

JUDGE McDONALD.

REV. DR. McLEOD.

HENRY TOTTEN, Toronto, Chief Officer of the License Branch of the Provincial Government, on being duly sworn, deposed as follows :—

*By the Chairman :*

14657a. Will you kindly give your official designation in full?—I am Chief Officer for the License Branch, and of the Administration of Criminal Justice Branch, of the Treasury Department for the Province of Ontario.

14658a. How long have you held the position?—I have been in the service about 22 years. I have been at the head of the License System since its inception in 1876. I have been connected with it since the Government took the supervision of those matters in that year.

14659a. Is there any statement you would like to make bearing upon any of the questions upon which the Commission are taking evidence?—I have prepared in a very concise form some of the views I entertain with regard to this matter, as being the result of my official connection with the working of the license and Scott Act systems.

I have had 17 years' experience of the working of the liquor license system. Any opinions I may here express are not preconceived, but are the results of my official connection with the enforcement of the License, Scott, Dunkin and McCarthy Acts. They are to be accepted as having a general application, and it is not to be assumed that there are not exceptions. I alone am responsible for such opinions, and I am not aware that any one with whom I am officially associated or connected, shares these opinions, because I have never discussed the matter with any of them. Many will remember the state of affairs existing prior to 1876. Licenses were then issued by municipal councils, and the liquor interest virtually controlled the council; the licensees therefore practically issued their own licenses. As a result, an excessive number were issued, and much illicit selling prevailed. Very little attempt was made to enforce the restrictive provisions of the law. It is presumed that no one now would wish to revert to that state of affairs. Public sentiment demanded a change and a remedy. The Government of the day undertook to deal with the question, and the Act of 1876, commonly known as the Crooks Act, was the result. This Act limited the issue of tavern licenses in cities, towns and incorporated villages, according to population. It also gave power and authority to municipal councils still further to reduce the number to be issued, notwithstanding the limitation according to population. The Act withdrew from the municipal corporations the power to issue licenses, and placed it in the hands of three Commissioners, and entrusted the enforcement of the Act to an officer paid to discharge the duty. The effect was greatly to reduce the number of tavern licenses, and nearly one-third of the whole were cut off. This one-third joined the large body of illicit dealers, and a powerful opposition was formed determined to set the law at defiance. The fight was a long and bitter one, and years elapsed before the majority of

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them was driven out of the business. In the meantime an active agitation was kept up by the temperance organizations in favour of the Dunkin Act, and it was carried in many places. I was directed to inquire with regard to the working of this Act, and having done so, my report was embodied in the License Report issued by the Hon. the Provincial Treasurer in the year 1876, as Schedule E, page 32. The Dunkin Act not having proved satisfactory, the temperance people pressed for a change, and the Scott Act of 1878 was the result.

The Scott Act is in principle similar to the Dunkin Act, and framed very much upon its lines, but it was claimed that all the objectionable clauses in the Dunkin Act, especially the five gallons clause, had been eliminated. Having received the Scott Act, the agitation regarding its introduction was commenced with renewed vigour by the temperance people. In 1882, it was first introduced in Halton, afterwards called the Banner County. In 1885 it was in force in eight more counties, and in 1886 in 16 others, making 25 in all, or about three fourths of the whole province. The Scott Act makes provision for its enforcement by Dominion Excise Officers. Wherever it is in force the courts have held that it supersedes the provisions of the License Act. As the excise officers had been specially charged with the duty of enforcing the Act, the appointment of Inspectors under the License Act was discontinued after the introduction of the Scott Act.

In the course of time a deputation composed of prominent and representative temperance people waited upon the Premier of this province and represented that no action was being taken by the officers designated to see that the provisions of the law were enforced, and strongly urged him to undertake the discharge of the duty. It was represented that breaches of the law were open and public, and that illicit traffic prevailed in every county in which the Scott Act was then in force. After due consideration, the request was complied with. It was stipulated, I believe, by the deputation that as some of the old officers appointed under the License Act were not pronounced temperance men, they should not be re-appointed, but men in entire sympathy with the Scott Act should take their places. This also was conceded, and Inspectors in full sympathy with the work of the temperance people, or acceptable to them, were selected and appointed. A prominent and trusted temperance man who had some experience in connection with the enforcement of the license act, was also appointed and placed in the head office, and specially charged with the duty of supervising the work of the Inspectors and seeing that the provisions of the Scott Act were enforced.

14660a. Do you recollect what year that was in?—That would be in the early part of 1886, about the month of February. The obstacles were numerous, and only those who have been connected with the active enforcement of the Act, can form any conception of what they were. The first was the want of money to pay necessary expenses. Officers very naturally refused to work without pay. More funds were required than under the License Act, because the expenses were greater. The law at that time provided that one-half of the fine should be paid to the informer and one-half to the Dominion Government. If a case were dismissed, or a defendant convicted and sent to jail, there was no fund definitely established out of which the costs could be paid. Some time elapsed before the Dominion Government could or would legislate to overcome the difficulty. In the meantime many of the county councils in the Scott Act counties, delayed, objected, or absolutely refused to contribute anything towards the expenses of enforcing the Act, although it had been carried by a liberal majority, and a provincial Act had been passed requiring them so to do. It was only after action brought against several county councils, and one or two cases had been tried, that many of the councils consented to pay. In the meantime the Scott Act was amended by the Dominion Parliament, and by such amendments it was provided that the Governor in Council may order that the fines be paid to any provincial, municipal, or local authority which wholly or in part bears the expenses of administering the law under which such fine is imposed.

14661a. In what year was that?—That would be in 1886. This amendment was Chapter 48-49 V., and was assented to on the 2nd June of the same year. On the 15th November following, an Order in Council was passed directing that all such fines should

be paid to the Treasurer of the city, incorporate town, or county, as the case may be, for the purposes of the Act. These statements of fact show that from 1882, when the Act was first introduced in Halton, to the 15th November, 1886, when it was in force in 25 counties, the fines imposed for infractions of the Act could not be wholly made available to meet the expenses necessary in enforcing the law. After November, 1886, although the fines were directed to be paid to the counties, cities and towns, the provision of the License Act required that the municipalities should contribute to the limit of the fines and a two-third portion only after the fines had become exhausted, the province bearing the other one-third. From the time of passing this order there was no difficulty regarding funds to meet expenses. Another very grave difficulty that was never overcome down to the day of the repeal of the by-laws introducing the Act, was the numerous legal points and objections raised in the court by legal gentlemen when moving against the convictions. At times these objections and the rulings of the court thereon had the effect of completely paralysing the efforts of the Inspector. Convictions made by Justices having years of experience in the administration of other laws, were almost invariably quashed by the court. Pending such appeal, prosecutions were deferred, as points had been raised that rendered it imprudent to proceed until they were settled. Little progress could be made. Suggestions came from various quarters that the remedy lay in the appointment of Police Magistrates against whose conviction there was no right of appeal under the Act. Down to May 23, 1887, the Provincial Government had no power to appoint County Police Magistrates with salaries. Salaries could only be made by resolution of the county council. These, as a rule, refused to pass such resolutions. It was therefore the fact that in many of the counties, although the majority of the electors voting on the question had been favourable to the introduction of the Scott Act, the representatives of the people in the councils refused for a long time either to contribute funds or to pay salaries of Police Magistrates for the purpose of enforcing the law. To meet some of these difficulties, the Provincial Government passed the Act of 1887—50 V., c. II—under which the Lieut.-Governor was authorized to appoint Police Magistrates in Scott Act districts, and fix their salaries to be paid by the counties. Under this Act a large number of Police Magistrates were appointed, having been recommended by representative temperance people as being men in sympathy with the proper execution of the Scott Act. The organization was from that time complete.

1st. The Board of Commissioners.

2nd. The Inspector.

3rd. The Police Magistrate.

4th. The representative in the head office.

(All these were officers recommended by, or acceptable to, the temperance people.)

5th. There was then plenty of money.

Notwithstanding all this, the difficulties increased. Defects were discovered in the law that could be remedied only by legislation. Rulings in the lower court stayed proceedings in that class of cases until reversed on appeal. The complaint of Inspectors was almost universal—"We stand alone, no one supports us in the community." They had frequent occasions to complain of the conduct of many of those who had voted for the Act. The peace, good will, and neighbourly feeling existing in many localities prior to the introduction of the Act, were destroyed. In such localities perjury was common, arson was suspected; buildings were injured or destroyed by dynamite explosions, and life was endangered. Public sentiment was at first shocked by this state of affairs, but did not manifest itself in such a way as to prevent their recurrence, and eventually it became apathetic. It has been repeatedly stated that the Act failed because the officers appointed to enforce its provisions were derelict in the discharge of their duties. This statement is made by two classes of persons: 1. The politician who desires to make political capital; 2. The man who has had no practical experience in connection with the matter. As I have been the Chief Officer of the License Branch since it was established 17 years ago, no man living knows more of its workings than I do; and as this occasion seems to be a very suitable one to refer to this matter, I avail myself of the opportunity to give the statement a most emphatic denial. Every officer appointed was either in full sympathy with the Act, or acceptable to those who were in sympathy with it. At the head office,

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a well known, tried and much respected temperance man, who had some experience, was employed, whose duty it was to supervise the conduct of the Inspectors and see that they faithfully discharged their duties. This officer is now deceased, but he lived to see the Scott Act repealed in all the counties of Ontario. As he is not here now to answer for himself, it affords me pleasure to say of my own knowledge, acquired from official association with him, that he faithfully and to the best of his ability—and he was a man of much ability—discharged his duty. Every honest effort was made to enforce the law, but while there was a large proportion of the community actively opposed to it, there was no class that actively supported it. Having voted for the measure, a large number of the electors took no further interest in the matter. In relation to this question, the people of this province may be divided into three classes :

1. The total abstainers.
2. Those who use intoxicating liquors as a beverage, in moderation or medicinally.
3. The intemperate or excessive drinkers.

Class 2 largely predominates over 1 and 3. If a prohibitory law is passed, whether general or local, it would receive the active support of a small portion only of class 1, and the passive support of the remainder. Of class 2, while the majority might believe such a law would be beneficial in the interest of class 3, and support it at the polls with that end in view, they would still believe the law was not intended for them, and accordingly they would not change their habits nor give any active support towards the strict enforcement of the measure. The 3rd class would unquestionably actively oppose the law, and resort to every means within their power to defeat it. The general result would therefore be, that while a very small proportion of the pronounced temperance people would actively support a vigorous enforcement of a prohibitory law, a much larger proportion of another class would actively oppose it, and the remainder would be indifferent. By some it is asserted that when a prohibitory or stringent license law is placed upon the Statute-book, it should be enforced the same as any other law. Those entertaining such views can see no difference between enforcement of one law and another. It is known to those who have been connected with the administration of the laws generally, that the sentiment of the people for or against any particular measure has much to do with the efficient manner in which it may be enforced in any particular locality. As a rule, the rights and privileges of the few must yield to the benefits of the many. Nearly all laws are based upon this principle, and as such they are almost universally supported, but a sumptuary law, dealing with what are claimed as the rights and privileges of the many in the interest of the few, and being the very converse in principle of those laws receiving universal support, cannot be classed with them, nor can they be dealt with in the same efficient manner. During the time the Scott Act was in force in 25 counties, illicit traders in intoxicating liquors sprang up everywhere therein. After its repeal we were obliged to start again the work we commenced in 1876, to weed out all this class and drive them out of the business. Much of the ground we had covered under the License Act was lost under the Scott Act. How much good may have been accomplished under the License Act, which is a prohibitory although not a totally prohibitory measure, had its provisions not been checked by the introduction of other Acts, it would be impossible to say. Comparing the present state of affairs, a better class of houses, better accommodation, a less number of licenses, fewer saloons, a total separation of the grocery from the liquor shop, no vessel licenses, less drinking at the bar, prohibition of sale to minors, a general weeding out of undesirable persons and premises—comparing this condition with that existing prior to 1876, it may safely be said, notwithstanding the checks received, that much good of a permanent nature has been accomplished under this Act. Taking into consideration the social and domestic habits and customs of many of our people in this province, habits and customs they cannot be persuaded they have no right to enjoy, and the very many difficulties attending the enforcement of a prohibitory measure, I am of opinion that a well regulated License Act will accomplish more in the cause of temperance and the general and permanent welfare of our people, than any prohibitory measure that can be framed.

14662a. In 1884 an addition was made to the license fee ; what effect had this addition on the revenue and the number of licenses issued ?—It added about \$100,000

to the Consolidated Revenue of the province, it did not affect the municipal fees. But as to the limitation of the number of licenses, I do not think it had any effect.

14663a. In 1886 another and apparently more extensive addition was made to the license fees; what effect had this upon them?—That also added about another \$100,000 to the Provincial Revenue, but it had no appreciable effect upon the number of licenses issued.

14664a. Was there any addition made at that time to the municipal fees?—There may have been, but of that I have no knowledge. Each municipality had power to add to the fees if they wished, they always have had that power. There are a good many municipal councils that added something to the fee provided in the Statute, and there are a great many others that added nothing.

14665a. In 1886-87, I see the municipal councils received a revenue of \$154,438 while the year before the revenue was \$231,000. Can you give any cause for the reduction?—That was owing to the adoption of the Scott Act. In 1885 the Scott Act was in force in eight counties, so the revenue was affected from that time. The revenue was of course less in the succeeding years down to 1889. The yearly revenues were as follows:

Year.	Revenue.
1885-86 .....	\$ 231,000
1886-87 .....	154,438
1887-88 .....	156,000
1888-89 .....	190,000
1889-90 .....	287,000

14666a. From 1885-86 to 1888-89 there was a very large reduction in the number of licenses issued, more especially in the year 1887; was this in consequence of the adoption of the Scott Act in many counties of the province?—Yes.

14667a. The net revenue of the province and municipalities from licenses and fees less salaries, expenses and commissions, from the year 1885-86 to 1888-89, in round figures, was \$1,548,945; while in the preceding four years the net revenue was, \$1,585,726, showing a decrease, notwithstanding the increase made in the license fees in 1884 and 1886; was that owing to the adoption of the Scott Act in so many counties?—Yes.

14668a. In consequence of the increase in the fees, should there not have been an increase in the revenue in the ordinary course?—If you take away licenses you cannot increase the revenue. The great bulk of the license money comes from large cities and towns where the fees are much larger. If you took away the whole fees from the townships, you might not probably reduce the gross sum by any more than one-third. As the Scott Act was not in force in most of the cities and towns, of course we had a very good revenue from them, although there were 25 counties not under license.

14669a. The increased fees would apply to the cities and towns also?—Yes, and to all municipalities?

14670a. You ought to have got a much larger revenue, it seems to me?—So there would have been in the ordinary course of things, if there had been no Scott Act to interfere.

14671a. The increase from the cities and towns would be offset by the decrease in the rural districts?—Yes.

14672a. Can you tell us if the adoption of the Scott Act had any effect in reducing the number of convictions for drunkenness and offences against the liquor laws. The criminal statistics show the convictions for those offences in Ontario, per thousand of the population, to have been as follows:—

Year.	Convictions per thousand.
1881 .....	2.62
1882 .....	3.01
1883 .....	3.35
1884 .....	2.63
1885 .....	2.95

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Year.	Convictions per thousand.
1886.....	3·02
1887.....	3·35
1888.....	3·66
1889.....	3·58
1890.....	3·41
1891.....	3·17 — ?

—I have never looked into the question of percentages. I had prepared a statement from the prison returns.

14673a. The figures I have quoted are not taken from the Ontario official returns, but from the returns made to the Dominion Department of Agriculture. The convictions, of course, would include persons convicted and fined. Your statistics, I think, show the commitments to jail?—Yes.

14674a. Would you tell us what they are?—I have no means of testing the percentages. But I have made up a statement from the provincial returns covering three years previous, three years during, and three years subsequent, to the Scott Act in those counties in which it was in force. There were two sets of counties; in one set the Act was in force in 1885, 1886 and 1887. In the other set there are eight counties, or nine including Halton, but I have not given any figures regarding Halton because it was in force there for six years, and as I have not got the six subsequent years, I have left Halton out. But I have got the figures for the eight other counties. In Oxford the Act was in force four years, that is the only one. There was some peculiarity with regard to that county by which the Act remained in force one year longer. I have given the figures separately. You will observe that in seven counties, namely, Bruce, Dufferin, Norfolk, Renfrew, Stormont, Dundas and Glengarry, where there are no cities, and where, consequently, they were wholly under the Scott Act, during the three years prior to the Scott Act there were 2,190 commitments; then during the three years that the Scott Act was in force, the number was 2,036, and during the third period after it was repealed, 2,046. Then with regard to Oxford, in which the Act was in force for four years, during the four years preceding the Scott Act regime there were 1,116 commitments; for the four years during which it was in force, 1,681; for the four years succeeding, 982. Those are the eight counties in which the Scott Act was in force over their whole area. Then with regard to the other 16 counties, there are seven which have cities, namely, Brant, Carleton, Elgin, Frontenac, Lincoln, Middlesex and Wellington. Wellington has the city of Guelph in which the Scott Act was in force, so Wellington was wholly under the Act. In the other six counties the Scott Act was not in force in the cities, so the commitments cover only the other parts of those counties.

14675a. But the statistics of commitments in the cities would be given in all the three periods?—Yes, they cover cities as well as counties, so you have the combined commitments. The result for the 16 counties is as follows: For the first period, 10,491; second period, 10,010; third period, subsequent to the Act, 10,555. I did not make any record of Halton County for the reason that the Act was in force there six years, and the six subsequent years have not elapsed. That is the information regarding commitments in the 24 Scott Act counties.

14676a. It was not in force in any other county?—That is all, except Halton.

14677a. Now will you please turn to the statistics of commitments to jail, and give us them so far as you can for Halton?—I did not prepare statistics for Halton, because I thought they would be of little value as a means of comparison, on account of the Act having been in force there six years.

14678a. Would you give us the figures for the six years previous, and for as many years since the Scott Act was repealed, as you have statistics to cover?—I will give you the figures from 1878 down to the latest date that they are reported.

14679a. It is contended that the liquor traffic causes a large increase in the expenditure of the country in the matters of the administration of justice, the support of the



poor, jails, reformatories, asylums and charitable institutions. In your opinion is such the fact?—I have no means of judging, and I do not know how any one can arrive at a conclusion. Under our present system the jailers and all other officers of prisons must be maintained, even though there are no prisoners to be cared for. Exactly what would be the effect of total prohibition on commitments to jail, it would be very difficult to say.

14680a. Can you tell the Commissioners how they can obtain a statement of the total amounts expended by the Province of Ontario and the municipalities for the administration of justice, the support of the poor, the jails, reformatories, asylums and charitable institutions?—They could not be given unless by some one in connection with the Treasury Department. The Provincial Auditor might possibly give them. The province contributes a certain portion per head to many of these institutions, and the municipalities pay the balance. I do not see how you would get the latter amount from any officer of the Provincial Government.

14681a. So you think it is almost impracticable to get a statement such as I have described with regard to the total expenditure which results from the liquor traffic?—I think it would be very difficult, I do not know any means of doing so.

14682a. Do you think any approximate estimate could be got which would be at all reliable?—If the assumption is that under a prohibitory measure there would be no crime and no commitments, there would be no such result.

14683a. The net revenue of the province and municipalities for licenses and fines in the years 1890 and 1891 exceeded by about \$425,000 the net revenue for 1888 and 1889. In the two last mentioned years the convictions for drunkenness and offences against the liquor laws, were higher per thousand than they were in the two preceding years, according to the Dominion criminal statistics. Is there any general inference which you think the Commissioners would be warranted in drawing from these figures?—I do not know of any. The decrease in convictions may arise from various causes, but whether there are two or three hundred more or less, one way or the other, it would not appreciably affect the cost of maintenance of our prisons. You have got to keep up the whole paraphernalia and the salaries of the jail officials. So long as they are there, the great bulk of the expenditure will continue, whether you have 500 or 300. The expenditure is about 8 or 11 cents per head per day for the prisoners.

14684a. I was referring more particularly to this fact, that whilst there was a large increase of the revenue derived by the province and the municipalities from licenses and fines in the years 1890 and 1891 over the two preceding years, there was a decrease in the ratio of convictions. In 1888 the convictions were 3·66 per thousand of the population; in 1889, 3·58; in 1890, 3·41; and in 1891, 3·17?—I do not see very well what deduction can be drawn from those figures.

14685a. Just this point, that whilst drunkenness and offences against the liquor law diminished, the province and municipalities were deriving a much larger revenue from licenses and fines. Was the system under which the traffic was being conducted in both periods equally effective in reducing the offence of drunkenness and breaches of the law?—I have shown you in the first table I read regarding commitments for drunkenness, that there is no appreciable difference.

14686a. I am speaking of the returns from the Department of Agriculture; these are convictions. From 1888 I suppose the whole of Ontario practically was under the license system again?—No; from 1889. You have included 1889, so that affects the revenue of the province.

14687a. According to these returns, the ratio of drunkenness decreased at the same time that the province was getting a much larger revenue. Would we be justified in attributing that to the enforcement of the license system?—I am not prepared to answer that. I see by the returns there was a decrease in the number of commitments for drunkenness after the License Act came into force, that is, throughout the whole province, compared with those of a previous similar period.

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The committals for drunkenness were :

1887 .....	4,100.
1888 .....	4,400.
1889 .....	4,700.
1890 .....	4,500.
1891 .....	3,600.
1892 .....	3,700.

These figures show a very material decrease in drunkenness under license.

14688a. Can you tell us the number of licenses issued yearly since 1888?—Here they are for four years.

Year.	Licenses issued.
1888 .....	2,445.
1889 .....	3,560.
1890 .....	3,523.
1891 .....	3,414.

14689a. Have you the number for 1892?—No, these are the last figures we have made up. The figures for 1889 include 15 vessel licenses, there are no such things now. The shop licenses are now being gradually reduced.

14690a. I have taken out the number of commitments to prison for drunkenness in Scott Act counties while the Scott Act was in force, for an equal period previous to the Act, and for an equal period subsequent to its repeal. I give you a copy of the statement. The figures are taken from your official returns, will you look at them and satisfy yourself that, barring clerical errors, they are correct?—I assume they are correct.

14691a. I wish to remind you that the commitments to prison are entirely different to convictions, as shown in the criminal statistics issued from Ottawa?—I presume so.

*By Judge McDonald :*

14692a. Do you know whether the commitments the Chairman is now referring to would include the committal to jail of a man who is perhaps arrested for drunkenness and brought before the police court, but not being fit for trial, is remanded for a week, we will say?—A. I could not say that, because the figures we embody in the license report we obtain from the prisons. It is the same table that is embodied in the prison report.

*By the Chairman :*

14693a. It is sometimes contended that the Scott Act was an educator. I have here a statement of the commitments in some of the Scott Act counties for three periods of three years each, namely, three years before the Scott Act came into force, three years during which it was in force and three years subsequent to its repeal. Turning to the County of Brant, I find that the commitments in 1883-4-5 were 161; during the three years that the Scott Act was in force they were 350; during the three years subsequent to its repeal they were 512. There was a great increase, immediately the Scott Act was repealed, in the number of commitments for drunkenness, namely, from 147 in 1888, to 218 in 1889. Then they decreased under the license system to 112 in 1891. In the case of Brant County would we be safe in drawing the deduction from these figures that the Scott Act was an educator?—I do not know. There are various reasons why a man is sometimes sent to jail.

14694a. I am only speaking of this one county?—I could not say definitely from the figures that are given regarding the commitments for drunkenness, whether they are of any value to enable us to draw conclusions that are reliable. Sometimes the police are much more vigilant than at others; sometimes there is a public work going on. Take, for instance, Port Arthur; at one time there was 500 or 600 people sent in there for two years to do some public work. The commitments were enormously out of

proportion to what they had been previously, because the circumstances were abnormal. Cases like that may arise in various localities.

14695a. Do you remember anything of that kind connected with the County of Brant?—No.

14696a. There is one point in connection with Brant County that must be remembered. I see by your statistics that you include the commitments of the city of Brantford, whereas the city of Brantford was not under the Scott Act. In the same way would the statistics for Frontenac include those of the city of Kingston?—Yes, and so with the city of London in the County of Middlesex.

14697a. In Oxford the commitments were 148 for a period of four years prior to the coming into force of the Scott Act; during its continuance, they were 113; for the subsequent period they were 164. They had fallen under the license system from 55 in 1889, to 24 in 1892?—Permit me to make a correction with regard to Oxford. The sheriff said he had returned 50 in 1887. I looked up the prison report and found in one statement that they gave the 50, and in the other, a copy of which they furnished to us, and which we published, they had omitted the 50. So the 50 is right, and should be added. Adding the 50, the number would be 163.

14698a. Have you any remarks to make regarding these figures in any particular case?—In my view those figures are of very little value in arriving at conclusions with regard to what is best to be done with the liquor traffic.

14699a. Do you mean that they are of very little value as showing which system is preferable?—Yes. Take the case of Dufferin, having a population of about 20,000, there is one committal in the whole year. You can form no conclusion with regard to the habits of the people of Dufferin from the fact of only one person being committed to jail for drunkenness in a year. Apply that principle to all the rest. Take the case of Middlesex which, including the city of London, has a population of 100,000. Suppose you have 4,000 committals there, it may possibly be that of those 4,000 one half may have been committed twice, or many of them three times, sometimes four times. Everybody knows that in cities there are a lot of incorrigibles who are sent down a dozen times during the year.

14700a. They would, however, be separate offences?—I am inclined to think they are put in to those figures as commitments; they would not take the trouble to separate the cases and say that certain individual was committed once or more. They would put him down as representing 12 persons. I do not think that they take the trouble to separate a man who has been committed several times and a man who has been committed once. So I think very little reliance can be placed upon figures like these in drawing conclusions such as you seek.

14701a. Would the convictions in each district be more reliable?—The convictions would be. It is not probable that many would be convicted more than once.

14702a. Have the boundaries of any of the counties been changed during the period we have been considering?—I presume they have been electorally, but they have not been changed judicially, not for the purposes of these statistics.

14703a. With regard to the returns which are made to the Department of Agriculture at Ottawa, are they made practically by the same officers who make these returns to you?—Yes.

14704a. Then they are for the judicial district and not for the electoral district?—Yes.

14705a. With respect to the Inspectors in each district, is it their duty to search out and prevent the sale of liquors by persons not holding licenses?—Yes.

14706a. To look after all breaches of the liquor License Act?—Yes. They have been specially instructed to protect the licensed dealer as against the unlicensed dealer. Circulars have been repeatedly issued to that effect.

14707a. Their salaries are paid by the province?—They are paid out of the license fund.

14708a. Then their salaries are part of the expenditures which are referred to in this return as expenses of collections, commissions, &c.?—Yes.

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14709a. And the fines are appropriated?—They follow the same rule as the license fees. They are all deposited to the credit of the license fund. A license fund is established in each license district. For instance, in the city of Toronto all the licensees require to go to the bank and deposit their money. The fines are deposited there also, and out of that fund we pay the salaries and expenses, and the balance is distributed.

14710a. In what proportion do the municipalities contribute to the expense of carrying on prosecutions?—Two-thirds, and the province one-third.

14711a. Are the constables or the Police Magistrates of the different districts bound to assist Inspectors in carrying out their duties?—There is a special Statute to that effect.

14712a. Are their salaries paid by the municipalities, or is any part of them paid out of the license fund?—No. If they are salaried officers in a municipality they get no extra fees. But we have offered a reward of \$5 for every case of conviction. Sometimes the constables will take the trouble to give information to an Inspector, and if the case succeeds, they get the \$5.

14713a. Suppose an Inspector commences a prosecution and does not succeed in getting a conviction, does he pay the expense?—The expense is paid out of the license fund.

14714a. So that he runs no risk?—No. He is a Provincial Officer, specially charged under the Statute with the discharge of that duty, so that I do not suppose there is any personal liability upon him.

*By Judge McDonald :*

14715a. I understood you to say that some time about May, 1887, the machinery was all complete for enforcing the Scott Act, and there were plenty of funds?—Yes.

14716a. I think you said that in 1886 some legislation took place, but that after November, 1886, when the Dominion Government passed that Order in Council, there was no further trouble?—No trouble as to funds; the Police Magistrates were appointed in 1887.

14717a. So that from May 1887 you had everything in running order?—Yes.

14718a. Some of these by-laws were repealed in 1888 and some in 1889?—Some went out in 1887, I think, and the balance in 1888.

14719a. In Stormont, Dundas and Glengarry, did not the Scott Act go out on 30th April, 1888?—That is what I call 1887, when licenses began.

14720a. In a number of them the votes were taken in the spring of 1889?—No, they went out in 1889.

14721a. In Leeds and Grenville the vote was taken in 1889?—I think in 1888, because we issued licenses in May 1889.

14722a. Did you not find that counties which repealed the Act had a certain number of months before the License Act came into force again?—There was an amendment in the law to that effect regarding the issue of new licenses.

14723a. So that in the case of those counties which voted in the spring of 1889, there had been about two years intervening between the time your machinery became complete and the time these votes were taken?—Yes.

14724a. You have told us that the legal difficulty remained up to the end?—Yes.

14725a. I think you said after the Police Magistrates were appointed in 1887, there were no further appeals?—No.

14726a. Of what nature were the legal difficulties after that?—Matters were brought up on *certiorari*, cases innumerable.

14727a. In the County of Peterborough which we visited, we found that the trouble in enforcing the law commenced after the moneys were given over to the municipalities, when the informer no longer got half the fine; that while the informer, either an individual or an association of men, got half the fine they were able to enforce the law, but after the moneys were given over to the municipality, the Act was not enforced. Do you know whether that difficulty prevailed to any extent elsewhere?—I do not know, I was not aware it prevailed there.

14728a. We also found in one of the counties in which there is a separate town, that there is still several thousand dollars of Scott Act funds remaining unused in both

the county treasury and the town treasury. Do you know whether that state of things existed in other municipalities?—Not a great many. I know as a fact in some districts we had money at the credit of this Scott Act fund, and after repeal we paid it back to the municipalities. In one case there were a good many thousand dollars.

*By the Chairman :*

14729a. Money that came from fines during the Scott Act period?—Fines which were in the hands of the municipalities. By the Order in Council passed by the Dominion Government, they were to be handed over to the municipalities that contributed towards the expenses. In the first instance the fines were paid to the municipalities and when we called upon them for a certain sum of money for expense purposes, they handed it over to us. Usually we did not use the whole of that, we handed some of it back and they have got it now.

*By Judge McDonald :*

14730a. So that in counties which did not carry the Scott Act you still had the license fund with which to pay expenses in looking after the liquor traffic?—Yes.

14731a. And in counties which had the Scott Act, you had these fines?—Yes, we had at the time. We could not very well pay for the expenses out of the consolidated revenue in those counties under the Scott Act; the counties which have not the Scott Act would object to the public moneys being used in that way. For instance, a vote was taken in Haldimand but the Act did not carry; we could not very well say that Haldimand must contribute to Oxford or to Halton.

14732a. Are we to gather from your statement that in your opinion the change in taking the licensed traffic out of the hands of the municipalities and putting it into the hands of Commissioners, and the various amendments that have been made to the license law from time to time regulating the traffic, have been beneficial in reducing drunkenness in the province?—Whether that has been the cause, I could not say, but we do know there has been a considerable reduction.

14733a. You are inclined to consider that change as one of the causes?—Very likely one of the educating causes; there are various others. But the habits of the people have materially changed.

14734a. As a citizen you have noticed that the various religious communions and temperance societies have been working to the same end?—Yes, and have done a great deal of good.

*By Rev. Dr. McLeod :*

14735a. Did the machinery for the enforcement of the Scott Act ever really become complete?—I think it did, in 1887.

14736a. Were there some repeals in 1887?—They did not take effect in 1887.

14737a. I do not refer to the time when they took effect, but to the time of voting?—I cannot speak as to the date of voting.

14738a. Nor as to the year?—I think it was late in 1887, or in 1888, that the votes were taken.

14739a. Are you sure no votes were taken in 1887?—I am not prepared to say as to that. Possibly some votes did take place in 1887.

THE CHAIRMAN: There appears to have been one, the vote in Charlottetown, Prince Edward Island, took place in 1887.

*By Rev. Dr. McLeod :*

14740a. I understand you to say that the difficulties of enforcement, whether from appeals or otherwise, never was overcome?—No.

14741a. You spoke also of perjury and arson in certain communities where the Scott Act was supposed to be in operation. By what class of the community have you any reason to suppose that those things were done?—It was reported they were done by the class who frequent bars and drink, people who were opposed to the Act.

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14742a. It was not charged that people in favour of the Act were guilty of arson?—No. Of course no one knew who committed the arson, but it was supposed to be people who were opposed to the Act.

14743a. You spoke also about having largely weeded out illicit places by a rigid enforcement of the license law. Is it your belief that the illicit places for sale of liquor have been weeded out pretty well throughout Ontario?—Not entirely, but to a considerable extent. It is a very slow process.

14744a. Is the condition of things under the license system at present better than it was prior to the Scott Act?—We got things in pretty good shape prior to that.

14745a. But you had to begin the work all over again after the Scott Act?—Yes.

14746a. We have learned in some places where we have been that there is considerable illicit sale still, notwithstanding the large number of licensed places?—I am very much afraid that that will continue for all time. Take the case of Toronto. There are 150 places where people can get drink in a licensed tavern. Still there are a large class who evidently support the dives.

14746½a. Why do they support a dive when they can get drink in a licensed place by going ten steps?—There is a class of people who prefer to patronize a dive to a licensed place, and that is a most difficult matter to deal with.

14747a. Have you any reason to believe that there is a considerable number of such places in Toronto?—I do not think so. There are some, they crop up. You unearth them in one street, and in the course of a month or two they will crop up somewhere else.

14748a. Which class of places do you regard as the more dangerous, the dives or the licensed places?—The dives, decidedly.

14749a. For what reason?—You do not know what is going on in a dive, it is not open to the public.

14750a. Is it a more dangerous class of people who frequent them?—Yes.

14751a. Which place would be the stronger temptation to a young man who had not formed the drink habit?—I do not know that there is very much difference. If he is bound to drink I suppose it does not make much difference where he gets it.

14752a. But I am speaking of the man who has not formed the drink habit, and who may be induced to drink by surroundings and associations. Would he be more likely to resort to dives or to licensed places?—It depends altogether upon the temperament of the individual. Some prefer the dive, the surroundings and associations there are infinitely worse than in other places.

14753a. About May, 1887, I think you said, the machinery of the law became somewhat complete. Do you know whether the repeal movement was then well under way in many places?—I could not answer that. That sort of thing might be going for a long time without my knowing it. I would have no means of knowing it beyond what I saw in the newspapers.

14754a. You think the Inspectors were always, or nearly always, in sympathy with the Scott Act?—Yes, I know some of them were most pronouncedly so.

14755a. Do you believe that in the enforcement of this or any other law, a good deal depends upon the zeal and faithfulness of the officials?—A good deal.

14756a. We are frequently told that something depends upon public sentiment. An efficient officer with no public sentiment to support him, could not accomplish much, because he stands alone, he is an individual against a large section.

14757a. We meet officials sometimes who say that given a law it can be enforced independently of public sentiment, if the officials do their duty?—I do not believe that.

14758a. Do you think the faithfulness of officials has something to do with the creation of public sentiment?—No, it may influence it. If the Inspector does not discharge his duty and the public insist and desire that he shall do so, public sentiment will influence him. On the other hand, if the sentiment of a locality is against prosecutions, and we sometimes find that it is, and the Inspector is zealous, sometimes over zealous, public sentiment will be against him, and it will do more to hinder him than to help him.

14759a. Is this thing true of all laws?—No, it does not seem to be.

14760a. There is a different condition of things?—Yes, people seem to look upon liquor laws differently from what they look upon almost any others.

14761a. Do you know how much of Ontario is under prohibition by local option?—I suppose probably eight or ten municipalities, perhaps not that many.

14762a. Have you any information as to the effects of that prohibition?—No.

*By the Chairman :*

14763a. You speak of eight or ten municipalities ; do you refer to places that have passed local option by-laws and where there has been no appeal against them?—Yes.

14764a. A certain number have been appealed against?—There is a case now before the Supreme Court, the case of the township of Norwich.

14765a. Do you include those contested cases in the eight or ten?—Yes. I do not think there are as many as that. There are a good many places where it was carried and the courts upset the by-law. I do not think there are more than six or eight, at the outside, where it is in force.

*By Rev. Dr. McLeod :*

14766a. Do you know how many places were deprived of the local prohibition they had resolved upon, by these appeals?—No.

14767a. Were there more or less than the number who have retained prohibition?—I think about equal.

14768a. I suppose we could get the figures somewhere?—I could get them. (Appendix 5.)

14769a. I think you said you had not statistics of pauperism and the causes of pauperism in the Province of Ontario?—No.

14770a. Where could we get that information?—I think it would be difficult, because the municipalities in all probability would pay the great bulk of that.

14771a. To what officer of the municipality should we apply?—The county treasurer. If the county pays anything it would be paid through him. I think it would be very difficult to get the information.

*By the Chairman :*

14772a. Suppose we got the accounts of all the institutions assisted by the municipalities and by the Provincial Governments ; would we not need also to get at the amount of the expenditure made by private individuals and charitable institutions in aid of the poor?—Yes, because there is a great body of voluntary contributions that does not appear in any official record.

*By Rev. Dr. McLeod :*

14773a. Do they make any reports to your department?—No. There is another class of cases, lots of poor people are sent to jail.

14774a. Because they are poor?—Because they are poor. Lots of them are in jail during the winter.

14775a. I hope we do not regard poverty as a crime?—No, but they desire to go there because they have no other place to which to go. It is a comfortable place where they are maintained at the general expense.

14776a. It ought to be possible, however, to approximate the expenditure?—When you come to examine Mr. Christie, or Dr. Chamberlain, in connection with the prisons department, they can tell you more than I.

14777a. Have you any means of knowing whether the expenditure by the province is equal to or greater than the expenditure by municipalities?—I think it would be less, because the province contributes so much per head. The amount varies.

14778a. You have expressed the belief that these statistics of commitments for drunkenness and other offences are worth very little as to the effect of the license system or the opposite?—In my view they are of little value.

14779a. Have you noticed that crimes of one kind and another ebb and flow, even without any apparent cause?—They run in waves, we cannot account for it.

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14780a. You would not base any conclusion as to the license system or the Scott Act upon those statistics?—I never have. That is my personal view.

*By the Chairman :*

14781a. You have expressed the view that these statistics of commitments to prison were not perfectly reliable data on which to base conclusions?—Yes, that is my opinion.

14782a. On what particular grounds do you come to that conclusion?—I gave an illustration in the case of the County of Dufferin, with a population of 20,000, where there was only one commitment to jail in one year. That would be no indication of the habits and customs of the people of Dufferin, whether they were a drinking lot of people or otherwise.

14783a. But you consider the statistics are made up with accuracy, and are quite as reliable as any other official statistics?—Yes.

14784a. But the point you desire to make is that they are not a reliable indication of the social condition of the people?—They are not.

14785a. I think in answer to a question I put to you, you stated that statistics of convictions for offences would be more reliable than statistics of commitments to prison?—Yes.

14786a. Do you know anything of the State of Maine?—No ; except that I have been at Old Orchard on my holidays.

14787a. Have you ever made any comparison of the statistics in Ontario with the statistics of any other province or of any of the states?—No ; I have very little faith in statistics of any kind. I should want to know the facts and the circumstances under which they were compiled before I would place much reliance upon them. I have never compiled any statistics with regard to this particular matter, because it is my opinion that they are of no value.

14788a. As bearing upon the effects of the law?—No.

*By Rev. Dr. McLeod :*

14789a. That is your opinion from long experience in dealing with this class of statistics?—Yes.

*By the Chairman :*

14790a. Then to what sources do you think the Commission should go for information which would be reliable or safe for them to base conclusions upon?—I do not know any other basis upon which you can work. Statistics are used by all parties to draw certain conclusions. They may be useful, I am only expressing my personal view with regard to their value. But I do not know any better source from which the Commission can get facts upon which to base conclusions.

*By Rev. Dr. McLeod :*

14791a. It is said that figures won't lie, but you evidently question that proverb?—Yes ; I think they can be made very misleading.

14792a. It depends upon the man who manipulates the figures?—Yes ; and how you do it.



REV. J. PHILIP DUMOULIN, Church of England, Toronto; on being duly sworn, deposed as follows :

*By Judge McDonald :*

14793a. You are Clerk in Holy Orders in the Church of England ?—Yes.

14794a. You are the Rector of St. James's Cathedral, Toronto ?—Yes.

14795a. How long have you lived in Canada ?—Over 30 years.

14796a. You resided, I believe, for many years in the city of Montreal ?—Yes; some 16 years; coming from Montreal to Toronto.

14797a. How many years have you lived here ?—Over 11 years.

14798a. Judging from your observation of the two cities, both being under a license law, in which do you think there is the better state of things as to temperance ?—I should think they are pretty equal, as far as my observation goes.

14799a. What part of the city of Toronto does your parish cover ?—It covers from Shelbourne Street on the east, up to Carlton on the north, across Carlton down Jarvis to Queen, and along Queen to York on the west, the southern boundary being the Bay.

14799½a. Your parish includes the original rectory of the city of Toronto ?—Yes.

14800a. Then within your parish there is a large part of the business portion of the city, and also a poor district, and further a residential part of the city ?—Yes.

14801a. Do you know whether there are within those limits many licensed houses ?—A great many.

14802a. Many hotels ?—Several hotels.

14803a. We are told that there is a class of licensed places here commonly called saloons, but which are really hotels without accommodation. Are any of those within your parish ?—Yes; there are plenty of saloons.

14804a. Do you know whether much intemperance prevails within the limits of your parish ?—Yes; there is a good deal in that part of the city.

14805a. Are you in a position to say whether the provisions of the law as to closing upon Saturday night and Sunday, are well carried out in that district ?—I think so far as the police can possibly do it, that they discharge their duty faithfully, but, notwithstanding all their vigilance I am inclined to think there are many breaches of the law.

14806a. Are you able to say whether there is much destitution caused from intemperance in your parish ?—Yes, there is a good deal.

14807a. Are you yourself favourable to the enactment of a prohibitory law, prohibiting the manufacture, importation and sale of liquor for beverage purposes ?—I am not.

14808a. Will you state to the Commission what your objection is to the enactment of such a law ?—Well, I do not think it would be a wise or a workable law. When I say I do not think it is founded on those principles of eternal wisdom and of long experience that have dictated the laws of past nations. I do not find that the principle underlying such laws enters into the Divine Law, nor into the great human codes that have governed the largest and the oldest nations in the world. The Jews had certainly not a prohibitory law; drunkenness was found amongst them, and it was rebuked by their prophets, but the article was not prohibited. The Romans and the Greeks certainly had no prohibition. England, the great country that it is, has not a prohibitory law; and in very few States of the Union—in only one or two I think—is there prohibition now. For all these reasons, I come to the conclusion that it would not be a wise law. I think the great principle of law is not to put it absolutely out of the power of a man to do what is wrong, but to strengthen him to resist temptation to do the wrong. The only circumstances in which I think it is put out of the power of people to do wrong, so far as that can be done, is when they are confined in prisons or lunatic asylums. But when the subject is free, I do not think it is put out of his power, either by Divine or human law, to commit breaches of those laws. I think he must be approached from another side.

14809a. And that side is what ?—That is his moral side. All the persuasions and influences that can possibly be brought to bear upon him on that direction, should be

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brought to bear. I do not think that prohibitory measures were designed to restrain him from committing sin. Adultery is not made impossible, murder is not made impossible, nor the commission of any other sin against Divine or human law. The only way to avoid those things is to strengthen the individual against the temptation to commit them.

14810a. Speaking in connection with what is sinful, do you refer to the intemperate use of strong drink?—I refer to the excessive use of alcoholic beverages, to drunkenness as a sin.

14811a. You do not refer to their use in moderation?—Certainly not. I take it that all sin is excess of some kind.

14812a. What is the rule and practice of the Church of England as to substances to be used in the Holy Communion?—The rubric mentions "the best and purest wheat bread," but says nothing about the sort of wine to be used. The general practice is to use the ordinary wine in use in the country.

14813a. By wine you mean a fermented beverage?—Yes.

14814a. In case of the enactment of a law preventing the manufacture of liquors, such as has been suggested, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I certainly would. I think that if from immemorial time a business has been regarded as legitimate, and carried on under the sanction of law, and if suddenly the law makers come to the conclusion that that business ought to be rendered illegal, the man owning it ought to be compensated for the loss of capital that he has put into it.

14815a. Is there any other statement you would like to make yourself with regard to these questions?—I merely repeat what I have already said, that I think prohibition would be not only an *unwise* and *unworkable* law, but that it would be particularly so in a large city. I saw that in the State of Maine, where I spent part of my vacation last summer. I was staying at a hotel at a seaside place on the coast of Maine, where lager beer and Bass's ale were drunk openly at tables, uncorked in the room, and furnished to any one who wanted them. I heard a gentleman who had just been in Portland say that he could get everything he wanted if he simply knew the door to push open.

*By Rev. Dr. McLeod :*

14816a. You evidently regard the liquor traffic as a dangerous traffic, do you not?—I think it is dangerous to those who partake of drink to excess, who lack self control.

14817a. Notwithstanding that the licensees have a right to sell only at certain hours and under certain conditions, do you think there are violations of those provisions?—With the reservation that I have made, I think the people do their utmost to carry out the law. Particularly in the city of Toronto, I think the police force and the detective force are most efficient, but a detective cannot stand at the door of one of those saloons from Saturday night until Sunday night. I fancy there are slips of the law occasionally.

14818a. Is there anything suggestive in the fact that these men observe the law only in so far as the vigilance of the police compels them to observe it?—I think that is the general inclination of human nature. I am certain it would be true of a prohibitory law.

14819a. Is that true of other branches of trade?—I think so.

14820a. That grocers, dry goods men, and other business men, only observe the law as it applies to their business in so far as the police are vigilant?—Well, I think that statement must be qualified. There are respectable wine merchants and respectable dry goods men who both observe the law irrespective of the vigilance of the police, but there may be other men engaged in the same kinds of business who might require to be looked after more closely.

14821a. We understand that there are wrongs of various kinds with which the law does deal, and various forms of evil which the law does prohibit. For instance, you mentioned adultery and other things of that kind; the law recognizes those things and

deals with them, does it not?—It deals with them, but not in the same sense in which a prohibitory enactment would deal with the making, importing or selling of liquor. In that case the enactment would aim at making a thing absolutely impossible.

14822a. Does the law aim at making these other things impossible? Does it say they are wrong and must not be done?—Yes, it says they are wrong and must not be done, but does not, can not make the doing impossible, as prohibitory law makes the manufacture of liquor impossible.

14823a. But they are done?—They are done.

14824a. Because they are done, would it be well to repeal the law which prohibits them?—No, I should think not.

14825a. It is fair to assume that if there were a prohibitory law against the liquor traffic, there would still be some traffic. I think you said it would not be workable, even if it were enacted?—I do not think it would.

14826a. In your experience and observation as a clergyman, coming in very close contact with a great many people in families and otherwise, have you observed whether to a considerable extent the drink traffic and habit are responsible for the domestic miseries and undesirable things generally which are found and deplored?—I should say that the persons who are responsible for those things are the persons who commit the excess.

14827a. And that the drink traffic has no relation to that excess?—It has the same relation to that excess that excess of any kind has to the article used, where just limits are exceeded. If I become a glutton, I do not think my butcher is responsible for it, that is my own sin and I am responsible for it. If I become a drunkard, I do not think my wine merchant is responsible for that, I myself am responsible for it.

14828a. Do you think it would be an advantage to Toronto if there were more licensed places?—No, I do not.

14829a. Would it be a disadvantage? Would you expect drinking to increase?—I do not think the ratio would be much increased.

14830a. What then would be the disadvantage of having more places?—It might be a disadvantage to the public to scatter licenses broadcast. I believe one of the best remedies for the evil complained of, would be high license, reduce the number.

14831a. What are the advantages of that system?—The advantages of that system are that it would close the small saloons where the working people go and spend their wages.

14832a. Do you think these small saloons are more dangerous than others?—I think so. I think it is there that breaches of the law are more likely to take place, such as keeping open after hours, and selling without license.

14833a. Is it in them that excessive drinking is likely to take place?—I fancy so.

14834a. Is it in the small saloons that the stronger temptations centre to young men and others who have not formed the drink habit?—No, I should not say that. I do not think that decent young men would be likely to frequent the small saloon.

14835a. They do not begin their drinking there?—No, I think they are frequented by the hard cases.

14836a. Then would you be understood as regarding the larger and better kept places as more dangerous to that class of people?—I do not say that they are more dangerous. There is simply no comparison.

14837a. Well, is the drink habit more responsible for these things that we all deplore, and that a clergyman comes in contact with, than any other thing you know of?—I do not think I could go that length. I know that position is usually taken, but I do not know that I could say that and justify it by my own experience. I have found a great deal of brutality, a great deal of inhumanity and a great deal of trouble where the cause was not drink exclusively.

14838a. Have you found as much of those evils due to some other cause as are due to drink?—Nearly as much. I am just stating my experience. I have found infidelity to the marriage vow and idleness, dishonesty &c., cause quite as much domestic trouble, I think as drink.

14839a. Then you apparently do not believe that if prohibition could be well enforced, it would accomplish any good?—I do not believe in the principle.

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14840a. Your objection is to the principle rather than to the practicability, or to the practicability as well?—To the practicability as well, certainly. I do not find it in the Divine law, and that must be largely my guide.

14841a. I suppose there are prohibitions in the Divine law?—I do not know of any where the possibility of committing a thing is absolutely guarded against.

14842a. But the commission of the thing is prohibited?—Is forbidden.

14843a. And the commission of evil things in general?—Yes, but the articles with which the sin is committed are not prohibited. The manufacture, importation and sale of wine is not prohibited. The Apostle, for instance, says, "Be not drunk with wine wherein is excess." It is evident that he only aimed against the excess.

14844a. Is it wise then, do you think, to put the existing restrictions about the drink trade?—I think it is. It requires restriction, as does the sale of many other things. Opium cannot be sold in quantities, nor arsenic. There are a great many drugs that one cannot buy unless he gets the prescription of a physician. Those are all very wise regulations, founded on experience.

14845a. Would you put alcoholic drink in the category with opium, arsenic and other drugs?—No, I simply mentioned those as articles the use of which is restricted, not because I call the other a poison, because I do not believe it is a poison.

14846a. Restrictions are put upon these articles because the free use of them is particularly dangerous?—Yes.

14846½a. Would you allow like restrictions to be put about the sale of other things in common use, such as our food and our apparel?—Well, there are taxes to be paid on those kinds of business, and duties to be paid on those articles, restrictions of that sort. In England, boys at the public school may have their beer. I have been at Sunday School picnics in England where a small keg of beer was brought out as part of the refreshments for the day.

14847a. Did you observe whether the effect of that was good?—I saw no evil from it, certainly, no more than if they had drunk water. I have been in Germany, and France and Italy, where light wines and beer are commonly used. I have been in German beer gardens where little groups of two or three were sitting at tables with a jug of lager beer before them, and I never saw a case of disorder or any excess among those people.

14848a. Have you noticed in your reading within the last two years that some very stringent legislation has been proposed in Germany, suggested, I think, by the Emperor himself, dealing with the drink traffic, because of the increasing drunkenness of the people?—I have not observed that; it would not be according to what I saw.

14849a. Do you think the effect would be good if a practice similar to that of which you speak in England, providing beer and the like for young people at picnics, were adopted here?—I would not advocate it here, but it is used in England in the way I speak of. But I certainly would advocate the German system here. I think the people must have those two things, something to amuse them and something to drink. The German beer garden seemed to supply both these requisites for the common people, if I may use that expression. They came there and brought their wives and children and sat at tables, listening to beautiful music and drinking their lager beer, smoking their cigars and lifting their hats with all the gallantry that used to belong to the French race, but which, I think, has now passed from them to the Germans. A better behaved and more courteous set of people I never saw.

14850a. Then do you understand the drink trade, as established here, is meeting one of these necessities?—Not quite. I think if the people here had plenty of light wines and beer, it would be a good thing.

14851a. Would you discriminate against the sale of whisky and other strong liquors in favour of beer and wines?—I think that must be a question for the political economist to settle rather than for me.

14852a. Although you evidently believe that the use of the stronger liquors is more dangerous than that of beer and light wines, do you not?—I suppose so.

14853a. Since the drink traffic as established meets this necessity for drink, you think we must accept it, taking with it all the dangers that may possibly attend it?—

I think we must aim at restricting rather than at the extinction of the traffic. If a harmless use of these beverages is possible in England, in Germany, in France and Italy, why is it not possible here?

14854a. Is it a fact, as is sometimes stated, that the English are a particularly drunken nation?—I do not think it is.

14855a. I have not been there myself, but I have heard the statement occasionally made?—There is a good deal of drunkenness in the great city of London, particularly in the east end, but in the other parts of England it cannot be said that the English are a drunken nation.

14856a. The consumption of liquor in England is put down in the statistical tables as very large, and the poverty and distress of the people in consequence of drink are regarded as very great?—Of course we must remember that there is an immense population crowded into that little island. Our population here is only one-sixth of that of England.

14857a. Are you aware of the agitation that is going on in the United Kingdom in the direction of restricting the drink trade, because of the evils that have grown out of it?—I am not particularly familiar with that subject.

ROBERT LOGAN, on being duly sworn, deposed as follows:—

*By the Chairman:*

14858a. What is your occupation?—Farmer.

14859a. Where do you reside?—About two miles from Georgetown, in the County of Halton.

14860a. Have you been farming there for some time?—Yes.

14861a. Have you a large farm?—One hundred and fifty acres.

14862a. Have you been feeding stock or growing grain?—Growing grain and feeding stock.

14863a. Have you grown any considerable quantity of barley?—Yes, I have been a pretty extensive grower of barley.

14864a. The price has gone down considerably; have you in consequence discontinued growing it?—No, I would not wish to stop growing.

14865a. Are you still growing it as largely as you were?—Yes, pretty much.

14866a. The price now is what proportion of what it was five years ago?—It was various prices. I did not take a memorandum of what it was five years ago; but it is a little lower now than it was then. It was about forty-eight or fifty cents near that time; then it was up. It fluctuates.

14867a. About what were you getting for barley ten years ago?—Along about fifty or sixty cents.

14868a. About how much do you grow annually?—About four or five hundred bushels; some years over that.

14869a. Have you at any time been a shipper to the United States?—No.

14870a. You sold to middlemen, I suppose?—Yes.

14871a. Has any of your barley gone to the United States in past years?—They told me so, but I cannot vouch for that.

14872a. Are you still selling to middlemen?—Yes.

14873a. Do you know where your barley is going at present?—I did not sell any this year yet.

14874a. Or last year? Is it used in Canada or being shipped to the United States?—As a rule, since the passage of the McKinley tariff, most of it, so far as I understand, is used in this country.

14875a. Do you think that if no barley were used in Canada for malting purposes, the price would be seriously affected?—Oh, certainly, that is my belief. There are

Rev. J. PHILIP DUMOULIN.

other coarse grains that are better for feeding cattle than barley is. To realize the most money on the farm with the least work I always try at the barley ; that is, in grain growing. I am also quite a hop grower.

14876. Do you dispose of your hops to middlemen, or sell them direct to the brewers ?—Direct to the brewers.

14877a. And they are all used in Canada, are they ?—Yes, pretty much, as far as I know.

14878a. You have said that there are other coarse grains that are better for feeding to stock than barley ?—Yes. Barley realizes more money to be sold.

14879a. What coarse grains do you think better for feeding stock than barley ?—Peas are better in a general way for fattening quickly.

14880a. Do you say that with reference to cattle or hogs ?—Both.

14881a. Could you substitute any other crop for barley if the market in Canada were taken away and the price fell ?—No. I always considered that there was more money to be made out of barley than any other grain ; it is a lighter grain to handle, and you realize your money quicker.

14882a. Suppose you could not grow barley profitably, what would you raise on your farm ?—I reckon that it would be pretty hard if I was shut out of growing barley for market, and I know that most of the farmers about me are in the same position. We might fatten something, but we could not realize our money so quickly with anything else.

14883a. What was your experience of the operation of the Scott Act in your county while it was in force ?—My experience was that it was a dead failure.

14884a. In what respect ?—The liquor traffic went right along.

14885a. Did it go along with worse results under the Scott Act than it did previously ?—Oh, yes. There was more of what was called sot drinking—men getting together in back rooms and such places and staying there to drink. It seemed that there was a terrible amount of drunkenness. Even boys half grown would get into these back rooms and drink ; they were away from the front and from the chance of older folks seeing them.

14886a. Where did these youngsters get the liquor ?—In these hotels. They usually had a back room where they sold the drinks, and the place was usually kept by a person that would not be worth much. If he was put into the black hole or into jail, another would take his place. The liquor traffic went on to a terrible extent. I do not think any farmer in the County of Halton saw more of the doings of the liquor traffic there than I did.

14887a. Did those who had previously been licensed as vendors continue to sell under the Scott Act ?—Yes. I was in a hotel in Georgetown during the time of the Scott Act, and I saw a man taking liquor from the landlady. I wondered that it was done so openly. I asked what this was, and she told me what it was—liquor selling without license. There was also selling in private houses. On one occasion I showed a gentleman three hotels in Georgetown where liquor was sold under the Scott Act, besides the private houses.

14888a. Have you any idea how many public houses there were in Georgetown under license prior to the coming into force of the Scott Act ?—Four.

14889a. What is the population of Georgetown ?—I do not remember.

14890a. Was there much drinking in Georgetown before the Scott Act went into force ?—There was far worse going on, I reckon, after the Scott Act came into force than there was before.

14891a. How is it now ?—I know that you can rely on a great many people's oaths better than you could during the time of the Scott Act. There was a blacksmith out our way who was brought up to swear whether he had got liquor at a certain hotel or not. He said to me, "Logan, what would you have done?" I said, "That would alter cases ; I was not there." "Well," he said, "I had to say yes or no, and I said no." I reckon, the license law was far better than that ; men would not have had to do that.

*By Rev. Dr. McLeod :*

14892a. That is, they would not be called on to swear?—No.

14893a. And therefore would not have to perjure themselves?—They did not want to say, "I was drinking, as well as the hotel-keeper."

*By the Chairman :*

14894a. The Secretary informs me that the population of Georgetown in 1891 was 1,509. You say there were four hotels there prior to the time of the Scott Act. How many are there now?—Four. In regard to hop growing, I will give you a little idea of it. I expend about \$600 a year, if not more, in hiring help. We have as high as ninety pickers a day during the hop picking season.

14895a. Where do you get your hop poles?—We buy them in several places, mostly in the County of Wellington.

14896a. If you had to discontinue growing hops, could you substitute some other crop which would be equally profitable to you?—None that would be as profitable to me and to others around me, I think.

14897a. Do you think the price of barley would fall much if the use of it for malt-ing purposes were discontinued?—Certainly ; that is my belief. We would not bother growing it ; there would not be the money realized out of it.

*By Judge McDonald :*

14898a. Is there much fruit raised in your part of the country?—Quite a bit.

14899a. Apples?—I have a little over two acres in orchard.

14900a. Is there much cider made in that part of the country?—I cannot say extensively.

14901a. Do the farmers make it for their own use?—Mostly for their own use ; some to sell.

14902a. Do you make it yourself?—Yes, I have a cider press.

14903a. For your own use?—Yes.

14904a. Do you sell it?—No, I have not sold any yet. We just make it for our own use.

14905a. Do you make any for your neighbours?—They have borrowed the cider mill.

*By Rev. Dr. McLeod :*

14906a. The four hotels that you have now in Georgetown all have bars?—Yes.

14907a. Are there any other places in Georgetown that sell?—Not to my knowledge ; they do not under the license law. One reason is that the hotel-keepers watch these little places that are called shebeens.

14908a. Do they ever inform on them?—There is none that I know of. It seems there is no occasion for that. But under the Scott Act they would even have them on the ice. My son came out and told me one day, "Father, you would wonder to see how many flasks there were on the ice ; boys would have them to treat the other boys—mostly grown boys."

14909a. They do not have them now?—No, none now. I was talking to the Methodist minister in Georgetown, and I said to him, "If you will just come with me, I will show you any amount of the liquor traffic," but the poor man was afraid.

14910a. Why would he be afraid?—He did not like to go.

14911a. He did not want to find out the truth, perhaps?—I do not know about that. But my belief is that whenever a prohibitory law came in, what they call swamp whisky would be made.

14912a. What kind is that?—Whisky made in the swamps.

14913a. Is there much drinking in Georgetown?—Not more than is common in any other place.

14914a. Is there any drunkenness there?—There might 'be an odd one, but not more than you would see in any other place. It is a kind of moral place.

14915a. Is there any poverty there?—You will find that anywhere, I guess.

ROBERT LOGAN.

14916a. Are there any who are poor because those on whom they depend drink ?—I could not say. There might be.

14917a. You think you could not run your farm successfully without the brewery to buy your barley and hops ?—It is pretty hard for the farmer to make money if he is bound to one thing.

14918a. There are farmers who do not grow barley ?—There may be an odd one, but I speak of the majority of people who grow this grain.

14919a. The price of barley is lower now than it has been ?—I guess it is. I sold it at one time at thirty-five cents.

14920a. Is all the barley that is raised in Ontario purchased by the distillers and brewers ?—It may not be all, but the bulk of it goes to them.

*By the Chairman :*

14921a. When did you sell barley for thirty-five cents ?—Three years ago, I think.

14922a. Was that before the passage of the McKinley law ?—It was just after the McKinley law came into force.

ALEXANDER DOUGHERTY, on being duly sworn, deposed as follows :—

*By the Chairman :*

14923a. You are a farmer ?—Yes.

14924a. Where is your residence ?—About eleven miles from Toronto, in Scarboro, in the County of York.

14925a. Have you a large farm ?—Yes, I have two hundred and fifty acres.

14926a. What do you produce principally ?—Principally barley, for our first rent. I rent the farm ; I do not own it.

14927a. Is barley your largest product ?—Yes. I have always from thirty-five to forty acres in barley, sometimes as high as fifty acres.

14928a. Are you growing less or more than you did ?—A shade less this year : I have thirty-five acres.

14929a. Is that in consequence of the low price ?—No ; I have not land just suitable for it.

14930a. Do you feed cattle with it at all ?—No.

14931a. You market the whole ?—Yes.

14932a. How much have you been in the habit of marketing ?—Some years I sell as high as a thousand bushels, sometimes a little more, sometimes less ; it depends on the yield.

14933a. Has the price at any time in your experience been lower than it is now ?—Well, no. It is about as low now as it has been since I started farming.

14934a. You sell your barley to a grain dealer, I suppose ?—Yes, all on the Toronto market.

14935a. Do you know where it goes to ?—It is used mostly by the brewers.

14936a. In former years, before the high tariff came in force, was any considerable quantity shipped to the States ?—Oh, yes ; but I have been selling to the brewers for many years.

14937a. You also shipped a considerable quantity to the States ?—Oh, yes.

14938a. Have you shipped at any time to England ?—No.

14939a. How would the discontinuance of brewing affect the barley market ?—Our barley money we calculate as the first we handle in the season, and we look to it to pay the rent which is due on the first of this month.

14940a. Do you think the discontinuance of the brewing business would lower the price ?—I do. I do not see any other way in which we could get the same money out of it.



14941a. Could you use it advantageously in feeding cattle and hogs?—We might, but it is a very low feed, used alone.

14942a. Could you substitute anything else for it on the farm?—I do not know what we could do. The price of everything is very low just now.

14943a. Are peas a better food for cattle?—Oh, yes, for any animal.

14944a. Could you grow oats on the soil on which you grow barley?—We could, but not to as good an advantage, and you cannot get a crop of hay to catch after oats as easily as after barley.

14945a. Would peas grow as well on the soil as barley?—We do not grow peas, because they take a great deal more house room. They are a very bulky grain.

14946a. Do you grow any hops?—No.

*By Judge McDonald:*

14947a. Do you make any cider?—Yes, sometimes a little.

14948a. For your own use?—Yes.

14949a. Do you sell any?—No, we never have any to sell. I have but a small orchard.

JOHN K. STEWART, on being duly sworn, deposed as follows:—

*By the Chairman:*

14950a. Are you the Chief Inspector of Licenses?—Provincial Inspector.

14951a. Your duties extend over the whole province?—Yes.

14952a. How long have you held the position?—About a year and eight months.

14953a. Did you hold any position in connection with the Department before that?—No.

14954a. What were you engaged in prior to receiving your appointment?—Immediately prior to that I was in the insurance business in the city of Ottawa.

*By Judge McDonald:*

14955a. Did you hold an official position in Ottawa?—No, I never did. I was one of the aldermen there.

14956a. I suppose that as such you had a certain amount to do with the management of the public business of the city?—Yes, a certain amount.

14957a. You had the Ontario License Law in force there, of course?—Yes.

14958a. Taking your residence in Ottawa and your residence in Toronto, in which place have you reason to believe the law is better carried out?—I think, from the class of individuals here and the class of business pursued, that the law is probably better managed in Toronto than in Ottawa.

14959a. I suppose that in Ottawa there are a large number of raftsmen and a similar class of men?—A large number.

14960a. Have you noticed that such men are accustomed to drink in larger quantities than men who live in cities?—Yes; they come temporarily to the city, and while there they are inclined to drink heavily.

14961a. Have you been up the Ottawa River?—I have.

14962a. Have you noticed that the working on rafts and the exposure to water seems to have such an influence on these men that they can stand more drink than ordinary men?—I do not know that they can stand more. They become almost demoralized. But in later years there is not so much drinking as there was. There was a time when they went on prolonged sprees whenever they came to the city, and their employers were anxious to get them away again.

14963a. You did not hold office when the Scott Act was in force in Ontario counties?—No.

ALEXANDER DOUGHERTY.

14964a. There are some few townships that have adopted the local option law?—  
Yes.

14965a. I suppose your attention has not been called to the working of that?—  
Yes, it has. The local option law in the townships appears to be well observed, so far as I can learn.

14966a. How many of the local option townships have you visited?—I have visited several, but my information comes largely from the Inspectors.

14967a. Which ones did you visit?—Within the past week I have been in the County of Dufferin, for instance.

14968a. Which municipality there has adopted the local option law?—East Luther.

14969a. You were in that township?—I was not in the township, but it is my duty to make inquiries how the law is observed.

14970. And the result was favourable?—Very favourable.

14971. You yourself are in favour of a prohibitory law?—I am.

14972. You are a prohibitionist in sentiment, on principle?—Yes, and I am an abstainer in practice.

14973a. In fact, before you were appointed to your present position these were your views?—Yes. Perhaps it was largely on account of those views that I was appointed. I did not ask for the appointment.

14974a. What experience have you had of the working of a prohibitory law?—  
I cannot say that I have had any experience of a prohibitory law. I know a little about the workings of the Scott Act.

14975a. Have you had experience of the working of any prohibitory law other than the Scott Act?—No, except this local option law; that is, from reports.

14976a. Where had you experience of the working of the Scott Act?—The County of Carleton was under the Scott Act, adjacent to the city of Ottawa.

14977a. I suppose that people living in Carleton County could come into the city and get liquor and carry it out?—Yes.

14978a. So that a county situated in that way, with a city in it under the license law, is rather an exceptional case anyway?—Yes; although I think there were several counties in that position.

14979a. The Scott Act was repealed in Carleton County as in others?—Yes. But I am convinced that there was not so much drinking in Carleton during the time of the Scott Act as there had been before. I lived on the Richmond Road, on which there were eight taverns within a distance of ten miles; and prior to the adoption of the Scott Act we had frequently to complain of drunken people passing along there on Sunday. The farmers driving out were accustomed to stop at these taverns on the way, and if you met them on the road you would find a number of them intoxicated. It was a rare thing to find that when the Scott Act was in force.

14980a. How is it now?—There is a good deal more drinking.

14981a. Did the people of that county stand fast for the Act?—No; they voted for the repeal.

14982a. How do you account for that?—I account for it by saying that they went with the crowd. It was being repealed in different places. One of the greatest complaints was that it had cut off the sale of liquor, and the hotel-keepers wanted it re-enacted.

14983a. And notwithstanding all these beneficial results, the people in the county let it go?—Yes.

14984a. You favour, then, the enactment of a prohibitory law, prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes?—Yes.

14985a. Would you except from the operation of the law liquors needed for medicinal, mechanical and sacramental purposes?—I would for medicinal and mechanical.

14986a. Not sacramental?—No.

14987a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—No; I would not.

14988a. Have you any particular reason for that view?—My particular reason is this. Most of them are better off than the majority of the people. They have been

making enormous amounts of money out of this traffic. Then, they are only licensed from year to year.

14989a. So that you think they could afford to stand the loss? Is that it?—I think so.

14990a. I find that the Scott Act was carried in Carleton in 1885. It probably came into force in 1886?—The first of May, 1886.

14991a. And it was repealed in 1889. Would the prohibition law which you favour prevent farmers making cider for their own use?—I am speaking simply of preventing the sale. I do not suppose it would.

14992a. You do not mean a law that would allow a citizen to have liquor in his house for his own use?—I would not give him an opportunity to purchase it.

14993a. You would allow a farmer to have it in his house for his own use?—I have not considered that. It is the traffic that I have been thinking of mostly.

14994a. Would you prevent a man bringing it from the United States to have it in his own house?—I would.

14995a. Will you tell me the difference between a man bringing it from the United States to use in his house, and a farmer making it to use in his own house, or is there any difference?—Yes; there is considerable difference.

14996a. What is the difference?—The difference is: if a man manufactured it, he would have to manufacture in a very limited quantity, whereas he could bring it in in considerable quantities.

14997a. Would you prevent a man manufacturing whisky in his house for his own use?—I do not think I would.

14998a. Or beer?—The only thing I have considered is the question of barter and sale.

14999a. If a man bought it in the United States, and had it sent in for use in his own house, he would not be buying in Canada; or, if it were sent to him as a present from the United States, he would not be buying or selling?—I presume there is no prohibitory law enacted under which you could not find some ways of getting liquor.

15000a. I am not speaking of ways of evading the law; I am speaking of what the law itself would permit—the extent of the prohibition. Do you mean that you would prevent all importation for beverage purposes?—Yes.

15001a. But not the individual making in his own house in the country for his own use?—I suppose you mean by that cider. A man cannot manufacture whisky very well in his own house for his own use.

15002a. In the County of Essex, we find, there is a large number of farmers who are now making wine out of their grapes for their own home use, just as farmers in the eastern parts of the province make cider; and the question is whether you would make an exception in favour of these men, and allow them to have that privilege?—I think it would be difficult to interfere with a man manufacturing for his own use out of what he grew himself.

15003a. If you would not interfere with that, would you prevent the citizens of Toronto going to one of these fruit dealers and buying grapes or apples and making wine or cider for their own use?—No, I would not, on the same principle. If you will allow me, I was going to say, with regard to the Scott Act, that there were some radical defects in connection with its enforcement, and it became a difficult thing to enforce it.

15004a. What were the defects?—The defects were that the local authorities—I mean the municipal authorities—did not assume the responsibility of the enforcement of that law as they did of other laws. The county council were adverse to the Scott Act and actually dismissed their constable in the County of Carleton, and objected to the payment of the Police Magistrate. Difficulties were put in the way of the enforcement of the Scott Act, not only there, but in other counties of the Province of Ontario. We find the same difficulty with regard to the license law.

15005a. What other difficulties were there in connection with the Scott Act?—The county council could have taken steps for the enforcement of the law had they desired, but they did not.

JOHN K. STEWART.

15006a. Mr. Totten, the Chief of the Financial Branch of your Department, has to-day testified here that after the month of May, 1887, all the machinery in the way of officials magistrates and all, and everything in the way of the finances needed to make the Scott Act a success, were provided?—So they were, so far as the Local Legislatures were concerned. The machinery was provided, but they refused to work it.

15007a. The Government appointed the magistrates, and made the requisitions on the county council to apply the Scott Act fines to the enforcement of the Act?—Quite true, but the Local Legislature did not compel the county council of Carleton to employ a constable.

15008a. But you know that the county council do not appoint constables; they are appointed either by the County Judge or the Justice of the Peace?—That is quite true, but the county council had to pay the constable.

15009a. Yes, but that law was to be enforced by the constables as other laws were. Mr. Totten tells us that everything was granted that was needed to make the law a success. Do you say he is mistaken?—I say he is not mistaken; but while those amendments were passing, there was quite a space of time when the Act was hung up in many places.

15010a. But from 1887 to 1889 the County of Carleton had all these advantages. Did the people there make the Act a success during those two years?—No, not as great a success as they might have done. If the County Council had been in sympathy with the Act, they might have made it a greater success than it was.

15011a. You do not dispute Mr. Totten's statement?—No, I don't.

*By Rev. Dr. McLeod:*

15012a. Mr. Totten also says that those vexatious things, the appeals, were not removed?—No.

*By Judge McDonald:*

15013a. I do not understand Mr. Stewart to put forward the appeals as the cause of the Act not being successful?—They were part of the cause. There were defects in the law itself that were not remedied until long after the Act was repealed.

*By Rev. Dr. McLeod:*

15014a. Is there anything in this contention, that because of the uncertainties the discouragements and the vexations that had existed so long, before that machinery was completed in May, 1887, the repeal movement had got well under way?—Yes, people were anxious for the repeal, because the law was not as workable as they had expected it would be.

15015a. And they were hopeless of the newly provided machinery enabling them to enforce the Act?—Yes. They saw Parliament refusing to pass the necessary means of making the Act more perfect than it was.

15016a. Sometimes it is said that the repeal of the Scott Act was the expression of the people's strong dissatisfaction with any prohibition measure. Do you understand that to be the case?—No, I do not. Many prohibitionists voted for repeal, because they found that they could not get prohibition under the Scott Act as they had hoped to get it.

15017a. Have you observed how the local option law works in any of the places where it is in force?—Yes, it works well in most of the places we know.

15018a. What about the township of Pickering, which Judge McDonald suggests to me?—I have no doubt the law may be violated, but people are punished for violations of it. Where I was last week, in East Luther, I was informed that it was being observed faithfully; but there was a large majority there in favour of it. First, the vote was a tie, but in the second vote there was a majority of 150 in its favour.

15019a. Just what is the extent of the prohibition under the local option provisions?—There are thirty-seven townships to-day, I think, which have adopted the local option measures, which is a comparatively small number.

15020a. Just what power does it give the municipality in prohibiting the liquor traffic?—The particular benefit of the local option law is this, that the machinery of the license Act is used to enforce the local option law.

15021a. That is, the people vote that they shall have no licenses?—Yes.

15022a. And then all the machinery of the license law is set in operation to help them in that direction?—Yes.

15023a. Have you observed whether there is much illicit sale in those places where local option is in force?—There are occasional reports of illicit sale.

15024a. But it is the duty of the Inspectors to look sharply after illicit sellers?—Yes, to root it out.

15025a. I suppose there is no interference with a man purchasing in Toronto or elsewhere for his own private use?—No; it is the sale within the bounds of the municipality. The machinery for the enforcement of the local option law to-day is more perfect than it was for the enforcement of the Scott Act.

15026a. Do you regard the local option under your License Act as producing better results than the Scott Act did?—I cannot say that. It is in a smaller compass. It is producing very good effects.

15027a. If it is producing better effects, is that attributable to the fact that there is better machinery for enforcing it?—Yes.

15028a. Are there municipalities or townships in Ontario which have not adopted the local option feature of our license law, but in which there are no licenses issued?—Yes, there is one township that has had the Dunkin Act in operation for some thirty odd years: that is in the County of Essex or Kent.

15029a. Is there any place where neither the Dunkin Act nor the local option feature of your license law is in force, but in which there are no licenses issued?—Yes, there are some.

15030a. How does that come about, that nobody applies for a license?—They may not apply, or the Commissioners may think that no licenses are necessary. The Commissioners have that power. It may be a rural locality.

15031a. Where a license is issued, must the applicant first have a majority of the electors in favour of it?—Yes, a majority of the electors of the polling sub-division in which the place is to be located.

15032a. If he has that majority, must the Commissioners issue the license?—No, they still have discretion.

15033a. But unless he gets that majority, they have no power to grant the license?—No.

15034a. Taking the country over, have you observed that the licensees observe the prohibitive provisions of the license law, as to sale in unlawful hours, to minors and on Sundays?—I think they observe them better to-day than they ever did before.

15035a. You think there is an improvement?—Yes, a great improvement of late years.

15036a. Have you noticed that they only observe those provisions in so far as your officials are vigilant?—Yes. Of course there are some men in the liquor business who will observe the law, who are faithful to the license they receive.

15037a. Without watching?—Yes. There are many who will violate the law if the Inspector is negligent and allows things to run loose.

15038a. Do you know if there is much illicit sale by unlicensed persons?—There is some, but not so much as people imagine.

15039a. In the towns and cities, I suppose?—I think it is being reduced from year to year.

15040a. Do you think a prohibitory law would be more difficult of enforcement than the prohibitive provisions of the license law?—Yes, I think it would at first. There would, of course, be a general attempt on the part of the trade to have the law repealed, and I believe they would fight to bring it into discredit. From end to end of the country there would be a good deal of unanimity on the part of those who have licenses, to get it repealed. I think they observe the license law better to-day than they would the prohibition law if enacted.

JOHN K. STEWART.

15041a. But after that first temporary shock and struggle, do you think that with proper machinery and faithful officials the law would be properly enforced?—I think perhaps it would. I think it will require considerable education yet to get the people up to the point where absolute prohibition would be as well worked as would be desired.

*By the Chairman :*

15042a. Do you say as well worked as the license law?—As desired, or even as the license law to-day. There are difficulties in the working of the license law that I have observed myself that would operate in the working of a prohibitory law. For instance, in towns the municipal council has the power to appoint the constables. In cities they are appointed by Commissioners. The police in the cities are more energetic in enforcing the license law than they are in towns. The police in towns being responsible to the council that goes in and out every year, and their positions being uncertain, the consequence is that they rarely enforce the law.

*By Rev. Dr. McLeod :*

15043a. If the home manufacture for private use were found to interfere with the effectiveness of a prohibitory law, would you then think it wise to prohibit even that?—I would impose a sufficient penalty, I think, to prevent them doing it again; that is, selling or bartering.

*By Judge McDonald :*

15044a. Speaking of the breaches of the law by sales on Sunday, those sales are made in consequence of people applying for liquor?—Generally.

15045a. And you believe there are two classes in the traffic—those who will not respond to the demand and those who do; those who obey the law and those who do not?—Yes.

15046a. Have you found, in other lines of business, when there is a demand, whether there are some who will sell and some who will not?—Yes. I know some places where they did until the police put a stop to it. In the enforcement of the license law, as a rule, there is only one Inspector, two in cities of considerable size, and three in Toronto. It is impossible for those men to get over the immense area they have to cover, and the police ought to assist them.

*By the Chairman :*

15047a. They do, I suppose?—They do in most of the cities to-day. They have not been doing it in the city of Hamilton as they should.

15048a. Will you explain to us the nature of your duties as Inspector?—My duties are: to make an inspection of each license district, if possible each year—a personal inspection; also to audit the accounts of the License Inspector of each district; and to see that he efficiently and faithfully performs his duties, and to that end to hold an investigation if called upon, and if necessary under oath.

15049a. Do you get regular reports from those District Inspectors?—Yes. Every three months they have to report to us, in accordance with a form which we furnish to them. They report the number of prosecutions, the convictions, dismissals, fines imposed, and so on.

15050a. I suppose you know most of the Inspectors personally?—Oh, yes.

15051a. Are they total abstainers?—Not all.

15052a. A majority of them?—I do not know that. I have not asked what their personal habits are. I know that a number of them are total abstainers and a number of them are not.

15053a. I ask you because the statement was made to the Commissioners that they were all persons who were acceptable to the temperance people?—Yes, as a rule they are.

15054a. Do you think they are, or any considerable number of them, in favour of prohibition?—I could not say. I have never made that a subject of inquiry. My business is to see that they perform their duties. I have a pretty good idea of what the

man is doing and what he is like before I go near him. If an Inspector is not doing his duty, we find it out through the correspondence which comes to the department.

15055a. You have told us what your views are on prohibition, and we would be right, perhaps, in assuming that the Inspectors are in sympathy with their Chief?—I have nothing to do with that. I know that during the time of the Scott Act a great many Inspectors who were not acceptable to the people were removed.

15056a. Have you anything to do with the appointment of them?—No, unless my opinion is asked.

15057a. And you make recommendations?—Not necessarily. If I am asked my opinion regarding any person who is an applicant. I may say that where we have found inspectors negligent they are removed. Several were removed last year.

15058a. They would be removed on your recommendation, I suppose?—I would be asked to report whether they were performing their duties or not.

15059a. And if you reported against a man, he would be removed, I suppose?—Very probably.

15060a. Do you consider the present law working satisfactorily?—I do.

15061a. Do you think it is tending to reduce intemperance?—Yes, I do. It is largely a prohibitory law.

15062a. I am speaking of the license law?—Yes, the license law.

15063a. From what you have said, I conclude that the municipal councils in very many instances were not in sympathy with the Scott Act?—Yes, that is true. I do not know of any that were in sympathy with it.

15064a. While large majorities voted for the adoption of the Act in the first instance, how do you account for the municipal councils not reflecting the opinions of the voters?—I believe there is a large sentimental vote in the country favourable to prohibition, but that the prohibition vote that is determined on enforcement of law is nothing like so large as the sentimental vote.

15065a. Then do you think that other matters and other interests influenced the election of councillors apart from the Scott Act?—Yes, that is just exactly my opinion.

15066a. Do you think the Scott Act did good?—Yes.

15067a. I think you stated that some of the temperance people who had voted for the Act in the first instance, voted for its repeal because they had become dissatisfied with it and wanted something else?—Yes. They had been asking Parliament for amendments from year to year, and did not obtain them, and they thought the Act was unworkable.

15068a. Do you think it was wise to repeal the Act if it did good?—No, I think it was unwise. I think that while it was not fully enforced, it still minimized the liquor traffic to a large extent.

15069a. Will you kindly tell us how the local option law is brought into force in a municipal district?—A petition is sent to the municipal council, and they submit the by-law to the municipality, and if a majority vote in favour of the by-law, it goes into operation at the expiration of the license year, and then there is prohibition.

15070a. The License Commissioners cannot issue any licenses in that district?—No, they are prohibited.

15071a. How is liquor supplied for medical and mechanical purposes in a local option district?—I do not know; I do not know of any provision. This local option addition to the License Act was the re-enactment of an old law that was in existence prior to Confederation. It was only re-enacted, and for years its life was at stake before the courts, and in the meantime it was hung up. Last year a number of municipalities adopted it, and it only came into force this year; so that we have not yet had a long experience of the working of the local option law.

15072a. What has become of the cases in which the local option law was brought into force, and the courts declared that it was illegal? what is being done in those cases?—The Act could not come into operation until a certain time; but while the question was pending as to whether the Local Legislature had the authority, and the matter was in doubt, the Act was not submitted in the townships to the vote.

JOHN K. STEWART.

15073a. There were certain cases brought before the courts, and I think the Chief Justice, Sir Thomas Galt, decided against the legality of the by-law?—Yes, thirteen, I think, were thrown out.

15074a. What is being done in the districts to which those thirteen by-laws applied? Are any licenses granted in them?—A great many of those townships did not appeal against the judgment that was given. In the case of one of them—South Norwich, I think—an appeal was taken for the purpose of testing the powers of the Legislature in regard to the law, and that appeal was determined; but the other townships against which judgment was given took no appeal, and as a matter of fact the matter dropped, and the by-laws did not come into operation at all.

15075a. They became a dead letter?—Became a dead letter.

15076a. Then, the places where the law is in operation are those which have passed by-laws since, against which there has been no appeal?—Yes.

15077a. The general question is before the Supreme Court?—Yes, in Ottawa.

*By Judge McDonald :*

15078a. I think there is also a provision in the law that the people of a subdivision may, by petitioning the Commissioners, prevent the issuing of a license there?—Yes, prevent a new license. A new license cannot be issued in any polling subdivision without a petition in favour of it.

15079a. The municipal council may determine the number of licenses that shall be issued?—Yes, they may reduce the number.

15080a. The Commissioners cannot exceed the number that the municipal council determines upon?—No.

15081a. I understood you to say that the Commissioners might refuse to issue any licenses even though the council said that there might be 120 or 130 issued?—Yes, the Commissioners have power to refuse any application that is made.

15082a. Even though the council may have passed a resolution saying that they are willing to agree to so many? Yes. The law fixes the maximum; the council has power to fix the minimum, but it has no choice as to who are to receive licenses.

15083a. Yet the Commissioners might ignore the minimum fixed by the council, and decline to issue any?—Yes. There are many men who will sign a petition for a license who do not want the license issued. The Commissioners are independent, and they can determine largely without reference to the influence brought to bear.

ROBERT LOGAN, recalled :—

What few words I have to say about the banner County of Halton, as the prohibition people called it, are that they had all the machinery they required to enforce the Scott Act. They had an Inspector for a few months, when the Scott Act committee got dissatisfied with him, thinking that he was not doing his duty. Then they got a Mr. Brothers appointed Inspector, and Mr. Young appointed Magistrate; and they got Sub-Inspectors to help them, and did all in their power to enforce the Act. I do not think there could be a stricter man than Mr. Brothers to enforce the law, and he could not do it. The county council gave them all the machinery they wanted, and they could not get it enforced. It was a lame article all the way through; and still they called Halton the banner county. Mr. Shortle, a farmer alongside of me, told me several times that he did not know the taste of liquor; and he first voted for the Scott Act, but the last time it was up he told some of the farmers, "I am going to change my way of voting; this is a lame article altogether, and I am done with such a law, when they had the best machinery to enforce it and they did not do it."

*By Rev. Dr. McLeod :*

15084a. It was not enforced at all, then?—It was lame. I know this from the people who favoured the law.

15085a. Were you favourable to it yourself?—No. I voted against it.



GEORGE GOODERHAM, on being duly sworn, deposed as follows ;—

*By the Chairman :*

15086a. Your business is that of distilling ?—Yes.

15087a. It is carried on now, I believe, by a company ?—Yes.

15088a. Are you the President of the company ?—Yes.

15089a. It was previously the firm of Gooderham & Worts ?—Yes.

15090a. How long has the business been carried on under the corporation ?—About twelve years.

15091a. And how long was it carried on by the firm ?—The business was established in 1832.

15092a. By Messrs. Gooderham & Worts ?—Yes. I may say that I have prepared a memorandum of my views, which is as follows :—The business of Gooderham & Worts was founded in 1832, sixty-one years ago, or two years prior to the incorporation of the city of Toronto, and has been in continuous operation since that time in the same place. At first the operations were necessarily carried on upon a small scale, but at present the output of our establishment amounts to about 1,300,000 gallons per year, upon which a duty of nearly two millions of dollars is paid. Our output a few years ago was larger than at present, but during the past two or three years it has fallen to an average of about 1,300,000 gallons. This has been due to two facts : Firstly, the output of all the older distilleries has been reduced through the establishment of new distilleries within the past few years. Secondly, the total output of all the distilleries in Canada has been materially reduced by smuggling, which was greatly stimulated by the high duty of \$1.50 per gallon imposed by the Dominion Government in 1890. Smuggling along the Gulf of St. Lawrence during the past three years has assumed very serious proportions, and is affecting the trade in a marked manner. In our present manufacture we consume about 400,000 bushels of grain annually, costing about \$275,000, with the refuse from which we feed 2,500 head of cattle. These cattle are bought from Ontario farmers at a price of about \$40 per head. During the feeding season they consume about one and a half tons of hay each, or say about 4,000 tons, which is purchased from farmers in the vicinity of Toronto at an average of about ten dollars per ton. We employ about 150 men, and expend for wages, cost of management, etc., about \$126,000 annually, and use from 7,000 to 8,000 tons of coal, on which a duty of sixty cents per ton is paid. To this must be added incidental expenses, repairs, etc., and interest upon capital. A serious item, too, is the duty upon deficiencies of spirits lost in process of manufacture. Upon this the Government collects yearly in duty about \$30,000. The effect of the aging law of 1885, whereby spirits have now to be aged two years before being sold, has been to nearly double the cost of spirits. This law met with strenuous opposition from the distillers when it was first proposed, owing to the very heavy expense it entails upon them for storage accommodation, insurance, interest, and loss from evaporation and handling. Nothing but the immense improvement produced in the whisky by aging could justify the Government in putting the distillers to the enormous expense they have. I notice that one of your witnesses, Mr. Stratton, who, I think, ought to have known better, is represented as stating the other day that aging produced no good effect upon spirits. I think it is an undoubted fact, which I have not heard questioned before, that spirits during the first two years change their nature very materially, through evaporation, absorption, and certain chemical changes which they undergo. Most of the change is produced in the first two years : after that the change from year to year becomes gradually less. The loss from evaporation and absorption during the first year runs as high as four per cent, and in the second as high as even three per cent, but falls off materially in after years. The one certain and indisputable effect of a prohibitory law would be the loss of the revenue from excise and customs amounting to about eight millions of dollars, a sum equivalent to the interest upon the national debt of Canada, which amounts to nearly \$250,000,000. The effect of increasing the duty on spirits to \$1.50 per gallon has been to produce so much smuggling and illicit distillation as to seriously affect the quantity of excise spirits

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consumed. This smuggling has grown up in face of the fact that an unlimited quantity of spirit could be freely obtained in Canada. It is easy to see to what proportions it would grow if we had prohibition. With the enormous frontier line between us and the United States, and with the exceptional facilities offered by the coast line of the Gulf of St. Lawrence, as well as the Atlantic and Pacific coast lines, it would require a standing army of officials and informers to make any pretense of preventing the smuggling of spirits. But perhaps the chief danger would come from within. For thirty or forty dollars a still may be constructed with a capacity of twenty or thirty gallons a day, which could be readily concealed in any house or barn. To manufacture spirit from such a still requires no special technical knowledge. The product, of course, would be highwines of the most objectionable kind. From the demand there would be for spirits of some kind, we may readily infer that illicit distillation would be rife everywhere. To attempt to suppress this would require a vast army of officials also. So that, in addition to the loss of revenue, it is evident, to make any attempt whatever to prevent smuggling and illicit distillation, would require the expenditure of an enormous sum annually by the Government, while the experience that has been had in Scott Act counties and elsewhere would lead one to believe that it would be entirely inadequate to enforce the law. So that the net result of prohibition would be to transfer the business from the regular licensed breweries and distilleries, which now conduct it, and which produce a wholesome article, to smugglers and illicit distillers, who no doubt would provide the public with raw spirits of the most injurious kind. While there is no trouble whatever in having sober and industrious men about distilleries and breweries as they are carried on at present, the effect of illicit distillation would be extremely demoralizing to the people generally connected therewith. With regard to compensation in the event of prohibition being adopted, the claim set up by one of your witnesses the other day that the act of the Government in prohibiting the manufacture of spirits was tantamount to a tariff change, will hardly hold good. There is this essential difference between the two: A change of tariff may as an incident close a factory, but it is not made for that purpose, but on the contrary the promoters of the change claim that it will foster trade. On the other hand, a prohibitory law is passed with the express purpose of closing the business of distillers and brewers, and by consequence rendering their property valueless. There are several reasons why, in the event of the Government experimenting with prohibition, brewers and distillers should be compensated. In the first place, it must be remembered that the Government are partners in the business, and have gradually assumed control, especially of distilleries; so that the whole business is in their custody and carried on under their supervision, so much so that the distiller is compelled to equip his distillery and carry on his operations in compliance with regulations and instructions received from the Government and plans approved by them. As illustrating this, a few years ago the Government decided to weigh spirits after the first process of distillation, instead of gauging them, and in effecting this change in the method of measurement we were put to an expense of \$25,000. One of the strongest reasons, however, so far as the distillers are concerned, why they should be reasonably compensated, is the fact that the Government, by introducing the two years aging law, has compelled them to provide additional real estate, buildings and plant, nearly equal to the value of the whole of the rest of the distillery, simply to comply with this law. It will be obviously unfair that the Government, after having identified themselves so thoroughly with our business, that they and not we are responsible for the largest portion of the expenditure we incur, should withdraw from the partnership and leave us to lose our capital, the major portion of which we have invested at their request, and to comply with their views of what the public interest demanded. They are under, therefore a moral obligation either to continue the business, for which they have compelled us to provide permanent plant, or to compensate us if they desire to stop. The adoption of the Scott Act by different counties throughout Canada did not affect the business of Gooderham & Worts. From all we could see, as much liquor as ever was being consumed, and one way or the other it was finding its way into the Scott Act counties. I believe the people of Canada are more temperate now than they

were formerly, or at any rate suffer less from the evils of intemperance, and I think that this is partially accounted for, among other reasons, by the improved kind of liquor that they obtain. There is probably no place in the world where purer or more wholesome liquors can be obtained than in Canada.

15093-4a. You are President of the Bank of Toronto, I believe?—Yes.

15095a. Have you given any consideration to the commercial and financial side of this question?—Nothing beyond the way in which it would affect trade generally. The Bank of Toronto has very few brewery or distillery accounts. But my impression is that it would affect the country considerably in that respect.

15096a. Did you get a circular from the Commission, putting two questions to you as President of the bank, or did it go to Mr. Coulson?—I did not.

15097a. You say in your statement that the distillers objected to the law imposing the obligation upon them to retain their product two years before selling it. Did they do so by petition or any official communication to the Government?—Yes, both by petition and by personal interviews.

15098a. You think the last addition made to the duty on spirits has led to smuggling?—Yes, on the ground that the higher the duty the greater the inducement.

15099a. Has it had the effect of lessening the quantity of whisky made in Canada?—Yes, that is one of the reasons.

15100a. What was the addition to the duty made in 1890?—Thirty cents a gallon; it was increased from \$1.20 to \$1.50.

15101a. Have you much or any trouble with your men on the score of intemperance?—None whatever.

15102a. Are many of them members of labour organizations?—Yes; nearly all of them; a fair proportion of them, at all events.

15103a. Have you any organization in connection with your establishment for promoting the welfare of the men?—No; not any.

15104a. They look after their own affairs?—Yes.

15105a. Have they combined for any purpose, such as building houses or anything of that kind?—Not that I know of—not as a body separately. We have always made a point of encouraging them to build homes for themselves, by helping them to do so, by lending the means at the lowest possible rate of interest, and enabling them to pay it off as easily as they can.

*By Judge McDonald:*

15106a. The establishment of Gooderham & Worts was established, then, long before there was any agitation for prohibition in Canada?—Yes; it was established before Toronto was established.

15107a. How about the cooperage in connection with your work? Do you make your own barrels?—Yes, we make our own barrels. We have of course a very large stock of timber, and at times we have as many as sixty coopers.

15108a. Do you buy the timber in Canada?—Yes. During the last two years we have bought only a small portion of it in Canada. The oak in Canada has been very scarce, and the quality very inferior. We purchase the greater part of the supply in the United States.

15109a. Do you use bottles at all?—Yes.

15110a. I suppose these are imported?—Yes; a good many of them are. A good many of them are made in Hamilton, but we have been able to get them cheaper in Germany, and we import them.

15111a. What about the corks?—I do not know where they are got, but I think they are imported just now.

15112a. I suppose you have men employed in repairing?—Oh, yes.

15113a. Do you have to keep horses and carts?—Yes; a large number of them.

15114a. Have you in your distillery what would be called plant and machinery that would become useless in case the business were put a stop to?—Yes; I think the entire plant and machinery would become perfectly useless or nearly so.

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15115a. Has there been, owing to change in law or change in departmental regulations, a change made from time to time in the fittings of the distillery?—Yes, continually to make it more secure for the Government to collect the revenue. They have been improving on it from time to time.

15116a. Can you, from your own knowledge, speak of any distillery in Canada which, owing to the business having been discontinued, became perfectly valueless?—I might ask you if you knew a distillery carried on at Maitland many years ago?—Yes; Borst, Halliday & Co., at Maitland, between Brockville and Prescott.

15117a. I understand that a difficulty arose owing to the Government charging that the firm had not paid the duties which they ought to have paid?—Yes.

15118a. And a suit was brought in the courts which ended in the firm losing the suit and becoming bankrupt?—Yes; that was the cause of it.

15119a. What was the effect on the property?—It is absolutely valueless, and it is there now, a wreck.

15120a. Would you expect the same result to follow in the case of your establishment, in the event of a law being passed putting a stop to your business?—Precisely the same.

*By Rev. Dr. McLeod:*

15121a. Do you look with favour on the license system prevailing in Toronto?—Yes.

15122a. Do you think its effects are good?—I think so.

15123a. Would it be well to have more or fewer licenses than now?—Oh, I think they are about right now. I think there are few enough of them.

15124a. What do you think would be the effect if the number were reduced?—I think it would be injurious, because it would increase the number of places that sell without license.

15125a. And the places that sell without license are less desirable than the licensed ones?—Yes.

15126a. For what reason?—There is practically no supervision over them generally. Bad characters resort to such places, and everything connected with them is very much inferior to the respectable hotel.

15127a. Does the liquor shop usually require supervision and regulation?—I think they are constantly under supervision by the Inspectors and others whose duty it is to do it.

15128a. What is it in the liquor trade that makes necessary this constant supervision?—One reason is because the number is restricted. Hotel people, before they can get a license, are obliged to have houses of a certain character and conform to certain rules and regulations, and in order to keep them so it is necessary to look after them all the time.

15129a. What is the advantage of having the number restricted?—I think it is a mistake to have it too much restricted.

15130a. Would there be a disadvantage if the present number were increased?—I do not think there would. Speaking within bounds, I think there might be considerably more, and still there would be no deleterious effects from them. I think there would be a great deal more harm in decreasing the number than there would be in increasing them.

15131a. If every man who desired were given a license, would there be a disadvantage in that?—Oh, I think there would. I do not think licenses should be given indiscriminately.

15132a. Why?—Because there are men who are not capable of handling the business as it should be handled.

15133a. Would it not be well to let each man take his own risks of carrying it on profitably or otherwise?—I do not think it would, I do not think it would be good for society.

15134a. That brings me back to the other question; what peculiarity is there about the liquor trade that makes necessary restrictions about it that are not thrown

about other trades, and a supervision that is not applied to other trades?—Because if the use of it is abused, it is injurious. I contend that the moderate and proper use of anything is right, but if it is abused, that is where the bad effect of it begins.

15135a. There is a liability to evil, then, resulting from it?—Certainly, the same as there is from anything.

15136a. Is there a liability of greater evil resulting from it than from other things?—I do not think there is. I do not think there is as much.

15137a. Why are the restrictions about it that are not about other trades?—There are restrictions about drugs. I think the ill effects of drugs are far greater than the ill effects from spirits, and there is control kept over them. Druggists have to keep an account of nearly everything they sell.

15138a. Would you put the liquor trade and the trade in those dangerous drugs that you speak of in the same category?—No, not to that extent, because it cannot possibly be made so hurtful or deleterious.

15139a. Yet to some extent it needs restriction?—If a man takes too much—if he takes a quart of whisky, it will kill him; if he takes too much of certain kinds of drugs they will kill him.

15140a. If the number of licensed places were increased, would you anticipate an increase of intemperance among the people? Not if moderately and reasonably increased.

15141a. Does the increase of the facilities for purchasing liquor make a corresponding increase in the consumption of liquor?—No, I do not think it does.

15142a. If they were scattered very freely about the city, making it more easy for passers-by to purchase?—I think if licenses were given indiscriminately to everybody, it possibly would. Those who abused it would have greater facilities for getting it.

15143a. Do you think the restrictions of the License Law, as to not selling after eleven o'clock at night or after seven o'clock on Saturday night, or until seven o'clock on Monday morning, are wise provisions of the law?—Yes, I think so.

15144a. And as to sale to minors?—Yes.

15145a. And sale to drunken men?—Yes.

15146a. Might not the trade be trusted to regulate those things itself without these legal restrictions?—I think it is better to have a check on them—better to have them under control.

15147a. There is no municipal regulation that causes the clothing dealer to shut up at ten o'clock at night, is there?—No.

15148a. But he does so?—I suppose because he cannot get any business to do.

15149a. But it is found necessary to close the liquor store at eleven o'clock at night lest the keeper of it might keep it running all night, to the detriment of the public?—Yes, I think that is advisable.

15150a. Have you observed whether the liquor traffic, as it is carried on—I speak now of the retail liquor traffic in saloons and taverns—is responsible in any degree for disorders and crimes of greater or less gravity, and poverty, and domestic disturbances and distresses?—It may be to some extent, but I do not think very materially.

15151a. You think the drink habit does not enter into these things materially at all?—Oh, I think it does, in the case of a habitual drunkard who neglects his family; then it affects him, there is no doubt about that.

15152a. Of course, you are aware that it is contended by some persons that a considerable percentage of the crimes and home neglects and home unhappiness and poverty are traceable directly or indirectly to the drink traffic: you think that is a mistake?—I think it is very much exaggerated. I think people get into trouble through bad habits, and take to drink afterwards as much as anything. I do not think the immediate cause is the fact that they have been drinking.

15153a. You think they drink because of these distresses rather than have these distresses because of the drink?—Yes, sometimes.

15154a. Do you know of any other thing which in so large a degree contributes to these things?—Yes, laziness is generally about the first thing. If a man is too lazy to work, he will very likely abuse his family or turn to drinking. Laziness is the chief cause, I have no doubt.

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15155a. Do you know any other trade that is legalized and established in the community, that has the same effect in the directions of which we are speaking?—Of demoralizing the community as drinking?

15156a. Yes?—I do not think it demoralizes the community at all. I do not think that is the effect of it.

15157a. So that you regard the retail liquor trade as it is carried on as no interference whatever with social conditions or the morals of the people?—Not as it is carried on. I think the people abuse it themselves, that is where the harm comes in.

15158a. Does the illicit trade that goes on in this city or elsewhere have these effects on social conditions or morals?—I do not think it has in Toronto much.

15159a. Does the illicit trade where it is carried on?—It has down in the Gulf of St. Lawrence, for instance.

15160a. I mean the illicit selling of it?—There is no doubt of it.

15161a. What makes the difference between the illicit trade and the legalized trade in the effect on the community? John Brown, on that corner, has a license to sell liquor, and William Smith, on this corner, has no license, but sells: what makes the difference between the two?—In the first place, the illicitly manufactured liquor is bad liquor, which does 50 per cent of the harm that is done to people who use it. Then, people who frequent places of that kind are people who in nine cases out of ten abuse the use of liquor.

15162a. Have you noticed whether the people in these illicit places or elsewhere who abuse the liquor did always abuse it?—I do not know. I have no knowledge of the illicit distilling at all.

15163a. Did your observation lead you to know whether the persons who use liquor excessively and resort to illicit places to get the liquor to satisfy their desires, were always given to that excessive use, or whether they began in a more moderate way?—I think, of course, that they are people generally that want to get an easy, idle living, and that is a very easy way to do it.

15164a. I am not speaking of the sellers; I am speaking of the consumers of what is sold by the illicit sellers. I want to know whether you think that they who consume what the illicit sellers sell began there, or whether they began somewhere else?—It is very likely they began somewhere else. I do not suppose they began to drink there for a moment.

15165a. Would this be your view, that the legalized sale is responsible at least in so far as it has created the people who in the last stages resort to the illicit places and consume the lower grades of liquor?—No, I do not think they are responsible for it at all.

15166a. The responsibility is altogether on the individuals?—Altogether.

15167a. There are not two parties to the transaction at all?—I do not think it. I do not see how there can be.

15168a. I suppose you appreciate that some relation exists between the retail trader and the wholesale dealer and the manufacturer? their interests are interwoven, are they?—Yes.

15169a. The retail trade comes from the wholesale, and the wholesale from the manufacturer?—Yes.

15170a. And in so far as there are evil effects resulting from what is called the retail trade, they may be properly traced back through the other grades and be shared by all alike? or is there a point where the responsibility may be cut off?—I believe the responsibility rests with the man who does the evil, and with no one else.

15171a. And the law which puts restrictions about the licensed trade is in the interests of that individual, to save him from hurting himself?—It is in the interest of the community, yes.

15172a. Are these restrictions in the interest of the liquor trade?—Yes, I think they are. Proper restrictions keep it respectable.

15173a. You think that without these restrictions it would cease to be respectable?—I think there would be a large amount of abuse that does not exist now, because there are some people who will abuse it if they have a very favourable opportunity.

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15174a. Leaving that branch of the subject, I think you said in your statement that you thought the adoption of the Scott Act in so many counties did not diminish the sales of Gooderham & Co. ?—No.

15175a. And yet, I presume, Gooderham and Company favoured the repeal of the Scott Act ?—Yes.

15176a. Why ?—Because we believed that it was injurious in every possible respect to the county in which it was in force. The farmers who used to come to Toronto with their grain could get a glass or two of whisky or whatever they wanted, and they were satisfied, or possibly they might get a little merry without being hurt much or materially. But they could not do that under the Scott Act. The effect of the Scott Act was that they would take a barrel of beer or a keg of whisky to their homes and keep it there, so that not only themselves, but their families drank it. I think it was the greatest curse we had in the country. Our business did not suffer at all from it. I am speaking from what I have heard farmers say.

15177a. You think the repeal of the law was in the interest of the families of the community ?—I do.

*By the Chairman :*

15178a. My colleague put a question to you in reference to the difference in the degree of demoralization caused by the licensed and the unlicensed places, and I think you answered by stating that very bad liquor was sold in the unlicensed places ?—I did not mean that ; I mean where it is illicitly manufactured.

*By Rev. Dr. McLeod :*

15179a. I was speaking of illicit places of sale ?—I did not mean that, although that is the tendency. I do not think that is a very serious aspect at all.

*By the Chairman :*

15180a. Would not the place where illicit sale was going on have the worse effect from this cause, that a breach of the law was continually going on, on the part both of purchaser and seller—does not demoralization arise from that cause ?—Yes.

15181a. Then, with reference to the character of the liquor sold in these illicit places, is not the profit of the illicit seller to a very large extent made by doctoring the stuff that he is selling ?—Oh, yes, that is done very largely. It is done very much more there than it is in the licensed places.

*By Rev. Dr. McLeod :*

15182a. Is it done in both, do you think ?—I think it is in some of them.

*By the Chairman :*

15183a. Do you think that in a respectable place more than the addition of water occurs ?—In a respectable hotel I do not think it does.

15184a. In the great bulk of the licensed places in Toronto do you think that anything worse than water is added to the spirits ?—No, I have not the slightest idea that there is.

15185a. The number of your employees you stated at one hundred and fifty ; did I understand that the sixty coopers that you employed were in addition ?—Yes. We have not employed any coopers beyond, perhaps, half a dozen for the last three or four years. We made up a very large stock of barrels and did not require them. But we have frequently had in certain years about sixty coopers in addition to that number.

15186a. How many men have you employed repairing your casks ?—About six men.

15187a. Have you any objection to telling us the value of the whisky you have to keep in stock under the Government regulations ?—We are obliged to keep two years' stock, and we manufacture about 1,300,000 gallons annually. That would be 2,600,000 gallons that we are obliged to keep in stock.

GEORGE GOODERHAM.

15188a. And the money value of it?—When it is sold it is worth about forty cents a gallon, which makes the value just about a million dollars. That is about the cost price to the manufacturer.

15189a. And the duty is at present \$1.50 per imperial gallon?—Yes. It is the imperial gallon I speak of.

15190a. Did you say that in order to comply with the law requiring you to hold your product for two years, you had to make a very large addition to your real estate?—Yes, we had to increase our manufacture as well as our storage capacity.

15191a. And you occupy additional real estate and buildings?—Yes.

15192a. How is the product kept—in wooden or copper vats?—All the whisky commonly called rye whisky is kept in barrels, and the spirits required for chemical and mechanical uses are kept in tin and copper tanks for the purpose of keeping it white and clean. The druggists cannot use it if it is coloured at all.

15193a. And you have to have a very large storage capacity for the purpose of holding this stock?—Yes.

15194a. Have you any objection to telling us the capital of your corporation?—Our paid-up capital is \$1,600,000.

15195a. Have you any bonds?—No.

15196a. Any mortgages?—No.

15197a. That is your total capital?—Yes.

*By Judge McDonald:*

15198a. Do you know whether, in any case in which casks or barrels have been returned from outer districts of the province, substances have been found in them?—Yes, very frequently.

15199a. What substances?—I cannot tell you what they have been. We have sometimes found a package like a sausage, a bag about an inch and a half in diameter, and filled with drugs of some kind. It is made just so that it will slip through the bung hole of the barrel, and we have to take the head out to clean it. We look for it in every barrel.

15200a. Mr. Walker, of Walkerville, told us that they sometimes put tobacco in the barrels, and sometimes meat, I suppose to give body to the liquor?—Yes, they use meat and sometimes tobacco. That is not with the trade, because spirits are not sold now by the manufacturer to the retail dealer; but they all have instruments for trying the liquor.

15201a. It was said in one section that this was done after it left the middleman?—I think it is done in the country generally, where a tavern-keeper wants to make all he can out of it.

15202a. You spoke of the difference between a tariff enactment which might injure a business and a prohibitory law designed to put an end to it. Would you think that the tariff enactment might better be put on the same footing as the regulation clauses of the license law?—Yes.

15203a. Under the license law a change might be made increasing the license fee, shortening the hours of sale, or requiring the premises to have more bed-rooms, which would be more on the footing of a tariff change than total prohibition would be?—Certainly it would.

15204a. I understand from your paper that you think prohibition would be more on the footing of an act of the Legislature stopping a particular business or saying that a man should not engage in it?—Yes, if that was the public act.

*By Rev. Dr. McLeod:*

15205a. In your statement you say that the major portion of your expenditures you have incurred at the request of the Government "and to comply with their views of what the public interest demanded, they are under, therefore, a moral obligation either to continue the business for which they have compelled us to provide permanent plant, or to compensate us if they desire to stop." Are we to understand that the Government has required you or other distillers to engage in the distilling business? or



is this the case: that the Government has made certain regulations that you must comply with if you continue in the business, but you continue in it at your own risk?—I suppose that is so to some extent; but we had our plant and everything connected with the business when the Government made that change. The result was that we had to increase our establishment and our capacity for warehousing, and we had to make this extra stock or else we had to go out of the trade. Before that came in, we could sell spirits a month old; we were not required to keep any stock at all.

15206a. Was that spirit which you sold a month old dangerous?—It was very much more so than that which is kept for two years.

15207a. That explains what you say in your statement, that the Government made these new regulations because of what they believed the public interest demanded, and they said to you, "Now, if you continue in the business, you must do so and so;" they did not say, "you must continue in the business," but "if you continue," and you, considering the matter, decided that it would pay you to continue in the business?—The effect of it was that we had to.

*By the Chairman :*

15208a. The effect of it was that you either had to do it or go out of the business? Yes, or our plant would be valueless.

*By Rev. Dr. McLeod :*

15209a. You say: "I believe that the people of Canada are more temperate now than they were formerly, or at any rate suffer less from the evils of intemperance, and I think that this is partially accounted for, among other reasons, by the improved kind of liquor that they obtain." You think, then, that the character of the liquor has something to do with the temperance habits of the people?—Yes, I think it has a good deal to do with them.

15210a. You have told us that the capital of your company is \$1,600,000, that you employ one hundred and fifty men, and that the expenses of the establishment in wages, cost of management, etc., are \$126,000 a year. I suppose that includes the pay of officers, such as Secretary and Treasurer?—Yes.

15211a. Do you know of any other business, involving so large a capital and such an enormous output that employs so few men?—I do not think there is. Years ago distillers used a very great number more men than we do now; but of course we are continually improving our machinery, so as to do everything possible by machinery.

15212a. So that you do not know any industry in which is invested the same amount of capital and the output of which is so valuable, which employs so few wage-earners?—I do not know, unless it is mining or something of that sort. I do not think any ordinary business does.

*By the Chairman :*

15213a. With regard to the 400,000 bushels of grain which you use annually, I suppose that is Indian corn principally?—Two-thirds are Indian corn and one-third is rye and barley.

15214a. Is the rye and barley exclusively produced in Canada?—Yes.

15215a. And the Indian Corn?—Most of it is brought from the United States. There is a large quantity grown in Essex.

15216a. You do get some from Canadian sources?—Yes. Still, the bulk of it comes from the States.

15217a. Is there any further statement you would like to make?—No.

GEORGE GOODERHAM.

LAWRENCE COSGRAVE, on being duly sworn, deposed as follows :—

*By the Chairman :*

15218a. Are you a resident of Toronto?—Yes, I was born here.

15219a. How many years have you been here?—Nearly 40—all my life.

15220a. What is your business?—A brewer.

15221a. How long have you carried that on?—My father carried it on before me.

15222a. Is it a firm or a company?—It is the firm of Cosgrave & Company just now. It is my own business in reality. The old company assigned a short time ago, and it is my wife's property now, and I am the manager of it.

15223a. How long has it been established?—It has been in existence thirty-two or thirty-three years.

15224a. Are you making beer and porter?—Yes, ale and porter.

15225a. Any lager?—No.

15226a. What quantity of ale and porter are you making?—I can give it to you for each year from 1883 to 1892.

15227a. Give the first and the last year?—In 1883, 393,433 gallons, and 1892, 431,815 gallons.

15228a. Have you exceeded the last figure in any year?—Only in 1889, which was our largest year, and when the product was 454,000 gallons.

15229a. To what do you attribute the falling off from that time?—I cannot say exactly. The smallest year was 1886.

15230a. Had the Scott Act anything to do with that?—I think so. I had not the management of the business only since 1887. It was a joint stock company before that.

15231a. Where does the output of your brewery go to?—Principally to Ontario.

15232a. Do you send any to places outside the province?—No.

15233a. Do you make your own malt?—Yes.

15234a. What quantity of barley are you using?—On the average about 46,000 bushels a year.

15235a. Is all that Canadian barley?—All Canadian barley.

15236a. What amount of wages do you pay?—About \$30,000 a year.

15237a. Do you buy your barrels?—Yes, we buy our barrels in Toronto.

15238a. And your bottles?—And our bottles.

15239a. How many men do you employ?—In the winter about fifty-five men, and in the summer about forty-five. We employ more in our malting season.

15240a. Did you sell in Scott Act counties when the Act was in force?—Yes.

15241a. Did you sell on written orders?—Yes.

15242a. Did you have any travellers throughout the districts when the Scott Act was in force?—I think we had one on at that time.

15243a. Did you discriminate between persons who wanted liquor for their own use, and those who were known to intend to vend it again?—The order would generally come in that they wanted it put in plain barrels without any labels on.

15244a. Do you mean that you shipped it in bottles packed in barrels?—Yes.

15245a. What do you consider the value of your establishment?—The plant I consider worth \$100,000.

15246a. What would be the depreciation in it if a prohibitory law were enacted?—I do not know anything else that it could be turned into. I think it would be a total loss.

15247a. What do you think you could realize on it if you had to cease using it for a brewery?—That is a pretty hard thing to say. As property is at the present time I do not think we could realize very much. All it would be worth would be the bricks so far as they could be utilized for some other purpose.

15248a. Your plant, you think, would be sold for old material only?—That is about all.

15249a. Could your building be utilized for some other purpose?—It might be, as a machine shop or something of that kind. But it would be very difficult, being built for the brewery business.

15250a. What other statistics have you?—The quantity of hops used and the duty paid. (Statement put in). This statement is taken from our books.

15251a. Did the last addition made to the tax on malt affect the quantity you were making?—No, but it affected our profits very much.

15252a. You still continued to make the same quantity?—Yes.

15253a. When was it put on?—In 1890, I think.

15254a. In 1889 you appear to have manufactured 454,048 gallons, and in 1890, 363,790 gallons?—Yes.

*By Judge McDonald:*

15255a. I notice that in 1886, your lowest year, the quantity manufactured was 198,000 gallons; in 1887 it went up to 326,000, in 1888 to 340,000, in 1889 to 454,000, and in 1890 it dropped to 363,000. 1886 was the year the Scott Act came into force in a number of counties?—Yes.

15256a. Did that affect your business?—Yes, I think that was the year the Cosgrave Brewing and Malting Company made their assignment, and I attributed it largely to that.

15257a. How was it that the amount of your output went up again in 1887?—We lost the business in 1886 and pushed the business in 1887.

15258a. Did you sell in Scott Act counties?—Oh, yes; some. I notice that Mr. Howland made a statement about the cost of making beer, quoting the price of barley at forty cents, this year's price, the lowest price I have ever known. But if you look at the statement I have put in, you will find that the average price of barley has been about sixty cents.

15259a. How many bushels of barley does it take to produce say twenty gallons of beer?—About a bushel and a half.

15260a. I understood Mr. Howland to say that three and three-fourths bushels produced forty gallons, and that the farmer got only a dollar and a half for that?—It does not make any difference what the farmer gets; we have to pay the duty on it. Mr. Howland figured it at forty cents, taking the lowest price ever paid for barley.

15261a. At sixty cents the farmer would get \$2.10. What is the price at present?—About forty-five cents.

15262a. He is not far wrong, for at forty-five cents the farmer would not get very much more?—He was not very wrong about the price, but he is forgetting what the beer costs to manufacture.

15263a. I understand that you must count the labour, the duty, and all the incidental charges?—Yes, and all the coal we use. We even have to pay for our water.

*By the Chairman:*

15264a. What is the price of beer?—Thirty cents a gallon, with ten per cent off; that makes it twenty-seven cents. That is what we get.

15265a. About what is the retail price at the stores?—They retail it at ten cents a quart.

15266a. Is there anything else you wish to say?—I do not remember anything just now. Only, my idea is that this license law is the best law we have ever had in this country. I have seen in the papers fault found with the men engaged in the traffic. My experience is that the license holders, if a man went in intoxicated, would refuse to give him anything more to drink; I have never seen anything else. They say to him, "You have enough, and you had better go home."

*By Rev. Dr. McLeod:*

15267a. Do they usually give it to him up to the time he is off his base?—No, I have never seen it. My experience is that they generally get it around those dives which have no license, and when they get loaded up they go to the licensed houses. I am speaking of my own experience in the business in Toronto.

LAWRENCE COSGRAVE.

*By the Chairman :*

15268a. I suppose the licensed vendor is afraid of losing his license ?—Yes, he has to protect himself. We have a good class of men in the business now, and it is their policy to conduct their places properly.

15269a. Do you think there is much illicit sale in Toronto ?—Yes, any amount of it.

15270a. How do the illicit dealers get their supplies ?—I do not know. They do not get them from the brewers. Anybody who has the cash I suppose can buy what they want at the liquor stores, getting a dozen at one place and a dozen at another place.

15271a. Would they get their whisky supplies in the same way ?—I think so.

15272a. Can you not give me any idea of what your property would be worth if you had to cease using it for a brewery ?—The plant would not be worth anything. The buildings would be worth what they would bring as bricks and stone, unless they could be turned into some other manufactory.

15273a. Would it be worth \$50,000 ?—No, I would not give \$50,000 for it for any other purpose.

The Commission adjourned.

TORONTO, November 2nd, 1893.

The Commission met at 10 o'clock, a.m.

*Present*, Sir JOSEPH HICKSON, Chairman, presiding.

JUDGE McDONALD.

REV. DR. MCLEOD.

ALBERT HORTON, of Toronto, Stenographer, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

15274a. Where do you reside?—In Toronto, except during the Session of Parliament, when my duties call me to Ottawa.

15275a. Have you at any time visited the State of Kansas?—Yes, I visited the State of Kansas during the month of May last, as Acting Secretary and Stenographer to this Commission.

15276a. Did you visit Kansas City in that State?—I did.

15277a. Did you go about the city at all?—I did, in company with the Commissioners.

15278a. Perhaps you had better just state what you did see in Kansas City in connection with any matters which are the subject of inquiry by this Commission?—I made some notes of my visit to Kansas City, Kansas, and to other places in the Western States, which I would like to refer to.

15279a. In Kansas City, Kansas, did you observe as an individual anything as to the way in which the prohibitory liquor law was carried out in that city, and if so, what were the observations?—As an individual.

15280a. Of course, you were present when the evidence was taken, and I am speaking of your own observations as an individual?—During the afternoon of Saturday, May 13, in the course of the Commission's inquiry, I, in company with—

15281a. I do not think it is necessary that you should mention names unless you desire to do so?—Of course, I do not wish the impression to go abroad that I made a personal investigation on my own account, because I was simply there in my official capacity.

15282a. Quite true, you in company with others?—I was there simply acting in my official capacity, and if I had been there in a personal capacity I should not have made any investigation at all. But all the investigations I did make were, as I considered, in pursuance of my official duties.

15283a. Then proceed to state what you saw?—During the afternoon of Saturday, May 13th, I, in company with two of the Commissioners and Mr. Kribs, visited several places in Kansas City, Kansas, near the boundary line between the States of Kansas and Missouri. I may state that the city of Kansas City, Kansas, and the city of Kansas City, Missouri, are simply divided by a street; that is, the boundary line between the States of Kansas and Missouri is simply a city street. The greater part of Kansas City, Kansas, lies on the opposite side of the Missouri River from Kansas City, Missouri, and a certain portion of it, called, I think, the Flats, lies on the Missouri side of the river, and is separated from Kansas City, Missouri, simply by the street line.

ALBERT HORTON.

*By Rev. Dr. McLeod :*

15284a. That is, Kansas City, Missouri, is on one side of the street, and Kansas City, Kansas, is on the other side?—Yes.

*By Judge McDonald :*

15285a. Well, what did you see?—We visited a number of places on the Flats where there are large factories, pork packing and beef packing establishments, and in a number of places we saw pool selling and gambling publicly carried on. The pool selling was usually carried on in separate rooms on the ground floor, while the gambling proper, with cards, dice, roulette tables and faro tables, and I understood a game that is called crap, were carried on in upper rooms. We visited at least three of these places, possibly more, I can only recollect three at the present time. In the largest of these places, called the Turf Exchange, the sign of which was conspicuously painted on the front window, there was a very large room on the ground floor, resembling an ordinary store, where pool selling was carried on, with an immense blackboard down the side of the room. Within this room, I suppose, there were upwards of a hundred men assembled, of various ages and apparently of various conditions of life. At the rear end of this room there was a large bar, an ordinary bar, with one or more bar-tenders behind it, apparently just like an ordinary saloon, serving liquors to men in front of the counter. I did not taste any of the liquor at that place, so I cannot say anything more in reference to it. In all the gambling rooms visited I saw men engaged in the play. In most cases the tables were filled, and other men were standing about. After leaving the last named place, we visited what purported to be a store on the corner of two streets. It bore a sign, "Merchant Tailor," but having been informed that it was really a saloon, we entered it. We found it to be not a tailoring establishment at all, but an ordinary saloon, with all the fittings and furniture found in ordinary saloons, and a bar-tender behind the counter selling liquor to men in the place. At this place I took some lager beer myself. During the same afternoon, previous to visiting these places, I visited, in company with one of the Commissioners and Mr. Kribs, an establishment on one of the main business streets of Kansas City, Kansas, on the Kansas side of the Missouri River. We had taken our dinner at a restaurant, and after dinner, just as a test, we asked one of the waiters if he could direct us to where we could get some beer; and he directed us to a place a few doors up, where we ascended a stairway, and at the top of the stairs we entered a room which was fitted up as an ordinary saloon. I should state that there was no sign to this saloon on the street, and nothing to indicate that there was a saloon there. We entered this place, and I took a glass of lager beer there in company with my friend. I think that covers the points in reference to what I saw in Kansas City, Kansas.

15286a. Did you notice in the place you spoke of as the Turf Exchange, how many tables were occupied by those who were engaged in gambling?—I think they were about ten.

*By the Chairman :*

15287a. Was there a bar in each of these rooms?—Not in the gambling rooms, themselves. The gambling rooms were on the first floor of the building, the bar was on the ground floor below, in a large room like a store, opening on to the streets, but in the same building.

*By Judge McDonald :*

15288a. What place did you visit next?—Topeka, the capital of Kansas.

15289a. Did you observe any place in Topeka where liquor could be obtained?—Yes.

15290a. What kind of an establishment was it?—We visited two places in Topeka; one was a drug store, and the other was called a club.

15291-92a. Please state what you found in reference to these?—The drug store was on the corner of the main street of the city. I entered that place in company with Mr.

Kribs. Mr. Kribs asked if he could get liquor, and the druggist replied that he could. Then Mr. Kribs ordered, I think, two glasses of lager beer, and the druggist said he could not sell it by the glass. I think he said he could not sell less than three or four pints, or something like that. He then proceeded to make out a little blank with which druggists are supplied in the State of Kansas. This blank the applicant has to sign, stating for what medical purpose he wants the liquor. It was a printed form that all applicants have to fill out, naming the disease for which the liquor was required.

15293a. Had you any prescriptions from a medical man with you?—Nothing. He simply told us that the applicant was to sign this, and we would get liquor. We said we did not want such a large quantity of liquor, and so we declined to buy.

15294a. What was the club you speak of?—I visited the club in company with a lawyer there, who said he was a member of the club. He simply ordered some lager beer.

15295a. Was it supplied?—Yes.

*By Rev. Dr. McLeod :*

15296a. And paid for?—No, think not ; I think this gentleman was a member of the Club.

*By Judge McDonald :*

15297a. How was this club fitted up?—It was fitted up as an ordinary social club, though perhaps more plainly furnished than we find clubs to be furnished generally.

15298a. What places did you visit next after Topeka?—Ottawa, Kansas.

15299a. Did you make any investigation in Ottawa such as you made in Kansas City and Topeka?—No.

15300a. What place did you visit next?—Leavenworth, Kansas.

15301a. What time did you reach Leavenworth?—We reached there in the evening about seven o'clock.

15302a. What did you see in Leavenworth?—After we had our supper a gentleman called Mr. Shindler, a newspaper man, invited us to go about the city, and said he would show us some of the saloons of the place.

15303a. Leavenworth is also in the State of Kansas?—Yes. We accompanied him. The first place we visited was a gambling establishment very similar to those we found in Kansas City, Kansas. It was on the upper floor of a large business building, on a street corner in a business part of the city. It was very brilliantly lighted. We saw a number of tables there which I was informed were faro tables, roulette tables or crap tables. I was also informed that the establishment was run in connection with the hotel at which we were stopping, the New Delmonico.

15304a. Did you notice what kind of people were in this place?—Young men mostly.

15305a. What were they doing?—They were playing at the games. Then we visited a number of open saloons in each of which we saw numbers of men. We did not take any liquor at any of these places ; we simply looked in.

15306a. Did you see liquor served?—Yes, we saw it served. They were places fitted up just like ordinary saloons. Ninety men out of every hundred would say they were saloons for the sale of intoxicating liquor, because they are very similar to what every one knows to be a drinking saloon.

15307a. Were the vessels, bottles and so on openly exhibited the same as in a saloon in the city of Toronto?—Yes ; there was a large sideboard behind the bar, fitted up with mirrors, glasses, bottles and decanters, and I think with beer pumps on the counter.

15308a. Did you see any club in Leavenworth?—Yes. The sheriff of the county, Mr. Flora, invited us to visit a club of which he was a member. This was an ordinary social club, and there Mr. Flora entertained the company with some liquid refreshments, and I took some lager beer.

*By Rev. Dr. McLeod :*

15309a. The company consisted of whom?—The company consisted of Mr. Commissioner McDonald, Mr. Kribs and myself.

ALBERT HORTON.

*By Judge McDonald :*

15310a. Now that you have mentioned a Commissioner by name, I ask you further, who partook of these liquid refreshments—since Dr. McLeod has asked you that question?—Judge McDonald partook, if I remember rightly, of lemonade. I do not know what Mr. Kribs partook of, but I took lager beer.

15311a. You will pardon me for going back to the record a few moments. Will you tell me what Commissioners were with you in Kansas City, Kansas, when you made the investigation you have spoken of?—Commissioner McDonald and Commissioner McLeod were present when we visited the gambling establishments, the Turf Exchange and the so-called Merchant Tailor's establishment. Mr. Gigault was with me when I visited the so-called club of which I spoke.

*By Rev. Dr. McLeod :*

15312a. Did the party take liquid refreshments in the Turf Exchange?—No. I stated that we did not take anything there.

15313a. You stated that you did not, but did the others?—No.

*By Judge McDonald :*

15314a. In Leavenworth at what hotel did you stop?—The New Delmonico.

15315a. Do you remember whether there was a bar?—There was an open bar in the hotel, quite as open as any bar in any hotel in Toronto.

15316a. Was this the last place you visited in Kansas?—Yes.

15317a. Is Kansas a prohibitory State?—Yes.

15318a. What State did you visit next?—The State of Nebraska.

15319a. What law is in force in Nebraska?—A high license law.

15320a. Did you spend a Sunday in the State of Nebraska?—We spent Sunday in Omaha.

15321a. How large a city is Omaha?—About the size of Toronto, or nearly.

15322a. What state of things did you find in Omaha on Sunday?—Omaha was exceedingly orderly and quiet on Sunday. I walked about the streets on that day. To all outward appearance every saloon and drinking place was closed. In the afternoon I visited a public park in which a band was playing music, and large crowds of people were there.

15323a. Did you notice any drunkenness in Omaha on that Sunday?—No, I did not see any drunkenness whatever.

15324a. To what state did you go when you left Nebraska?—The state of Iowa.

15325a. Is Iowa a prohibition state?—Yes.

15326a. After leaving Nebraska and coming to Iowa, what place did you visit first?—Council Bluffs. We came to Council Bluffs on that Sunday we were at Omaha.

15327a. Who accompanied you there?—Mr. Gigault and Mr. Kribs.

15328a. What was your observation of Council Bluffs on that Sunday?—I may state that Council Bluffs is just across the Missouri River from Omaha. The two cities are connected by a bridge over which runs an electric railway. Omaha is under high license and Council Bluffs is under a prohibitory law.

15329a. What state of things did you find in Council Bluffs on Sunday?—We went there at the request, I think, of Commissioner Gigault for the special purpose of making an inquiry. In Council Bluffs there is no concealment whatever of the sale of liquor; on the contrary, there are numerous signs of "saloon" on the main business streets. You see the sign repeatedly.

15330a. Did you find several of those places open on Sunday?—Yes.

15331a. And liquor being sold in them?—Yes. I may say that we broke the law ourselves in purchasing liquor on Sunday. Mr. Gigault, I will say, did not take anything in the shape of intoxicating liquor.

15332a. Did not Mr. Gigault's business engagements call him away from the Commission the next day?—Yes. Would you permit me to read from my notes a note that Mr. Gigault dictated to me at the time to be made a part of my record?



*By the Chairman :*

15333a. Have you read it to him since?—I do not think I have.

15334a. Did you take it down in shorthand?—I took it down in shorthand, and I can say that this is just what Mr. Gigault gave me: Mr. Gigault reports: At Council Bluffs I went into a saloon, the front door of which was open. I found men standing before the bar drinking. Four glasses of lager beer were called for and taken in my presence. On the street I saw a drunken man. I saw many saloons with signs openly displayed, and men going in and out of them by the front doors.

*By Judge McDonald :*

15335a. You visited Council Bluffs again on that day?—On the following Tuesday, May 23.

15336a. Did you on that day visit the principal business streets?—Yes.

15337a. Did you see any places on the week day in which liquor was openly exposed for sale in this prohibitory town?—Yes. We first entered a saloon kept by one Thomas Maloney, and I think I drank a glass of lager beer there. I took down Mr. Maloney's statement in shorthand.

15338a. Did you visit any other place?—Yes, we visited a place called the Mountain Liquor House on Broadway Street.

15339a. What appearance had that place?—It was an ordinary liquor store on the main street with two windows and a door between. It was quite liberally plastered with signs in reference to the proprietor's business, which I need scarcely say was the sale of liquor.

15340a. Were there any indications of the kind of liquor sold?—Yes. Under direction, I made notes of some of the signs.

15341a. Will you please state the signs you saw there?—Painted on the front window was the sign, "Mountain Liquor House, Fine Liquors, Jug Trade a specialty, Fine Wines." The window bore the words "For Medical Use." At the side of the doorway a hanging sign bore the words "Val Blatz Brewing Company's Milwaukee Lager." In one of the windows was a placard bearing the words "Best Whisky—ten cents a drink." In the windows were displayed a large number of bottles and flasks, labelled as follows: "Pure Sour Mash Whisky, 30 cents a flask; Extra Fine Rye Whisky, 20 cents; St. Jacob's Bitters; Milwaukee Lager Beer; Mountain Brandy Bitters," and some others.

15342a. Did you go into that shop?—Yes.

15343a. What did you see inside?—We saw a large number of casks and bottles, and a long counter behind which there was a bar-tender selling liquors.

15344a. What place did you go to after you left Council Bluffs?—Des Moines, capital of Iowa.

15345a. Is Des Moines inland in Iowa?—It is pretty near the centre of the State.

15346a. Did you visit the police station in Des Moines?—Yes.

15347a. What did you see there?—The police officers took us to the cellar of the police station, where we saw a large number of lager beer casks, some empty and some partially filled. There were a large number of bottles containing—I do not know what they contained, but I think they were intended to contain—intoxicating liquor of various kinds.

15348a. Did you notice how these were labelled?—I do not remember the labels, but I have distinct recollection that they were labelled as bottles containing spirits.

15349a. Do you remember whether the name "Richard Doe" was written upon the casks?—I do not remember that.

15350a. Did you notice in Des Moines any placard of a peculiar character in reference to liquor, upon the fences?—Yes, I took down one which I saw posted in several places. It was as follows: "The Best Whisky in America, Distilled, Aged, and Bottled at the Mount Vernon Distillery. Guaranteed Strictly Pure. Fully Matured before Bottling". In the centre of the bill was a picture of a bottle bearing a label containing these words: "In Square Bottles Only, For Sale by all Retail Druggists. Wholesale Only by C. H. Ward."

ALBERT HORTON.

15351a. Did you visit any drug stores in Des Moines?—Yes.

15352a. How many?—Four or five.

15353a. Were they at a distance from one another?—They were very close together, within a block or two.

15354a. Were they far from what you would call the central business part of the city?—They were in the neighbourhood of the post office.

*By the Chairman :*

15355a. What is the population of Des Moines?—I understand about 40,000.

15356a. Do you know how long the prohibitory law has been in force there?—I think since about 1881.

*By Judge McDonald :*

15357a. Will you state what you saw in these drug stores that you visited. Did you see much the same state of things in each?—Very much the same.

15358a. Will you kindly state what you saw?—In two of them I think I took some lager beer. We were conducted by a reporter of a city paper.

*By Rev. Dr. McLeod :*

15359a. Who were conducted?—Judge McDonald, Mr. Kribs and myself.

*By Judge McDonald :*

15360a. Now, please state what you saw in those places?—In those places usually the front portion of the store has the appearance of a drug store. They had in the windows a coloured liquor in large jars, but the counters were covered with show cases in which there were more cigar boxes than anything else. They were very poorly equipped as drug stores.

15361a. How were they equipped in other respects?—At the rear of the store was a large wooden screen behind which we were conducted, and there we found a good-sized room which seemed to be given up to the storage of liquor. We found men in those places drinking. Most of those places had large stores of liquors of various kinds about the four sides of the room.

15362a. You saw men calling for liquor and being served?—Yes.

15363a. Did you see gin bottles. Do you remember the kinds of liquor you saw?—Yes, gin, whisky and beer.

15364a. Did you notice whether any of those drug stores were in the vicinity of a hotel?—Yes, one of them was entered from the rotunda of a large hotel—I think, in fact, two of them.

15365a. So that from the rotunda of a hotel you could pass to the so-called drug stores where liquor was sold?—Yes, the hotel I think was on a corner of a street, and one drug store was fronting on one street, and another drug store on the other.

15366a. Did you visit any other place?—Yes, we visited what purported to be a cigar and tobacco store. At the rear of the cigar store was a board partition with swinging doors. We passed these swinging doors and found ourselves in a large drinking saloon, on one side of which there was a long counter, I suppose 20 to 25 feet long. There was a bar-tender behind it, liquor was displayed, and a number of men were present.

15367a. Do you remember how many men you found in that place?—I counted sixteen men besides ourselves.

15368a. You have spoken of clubs in other places. Did you see any clubs in Des Moines?—Yes.

15369a. Will you please mention what class?—We visited two clubs—one was called the Pickwick Club on the first floor of a business building.

15370a. Was the editor still with you?—The reporter was still with us. He obtained entrance to this by knocking at the door. It was furnished like a club, moderately well furnished, and floors carpeted. There were several rooms.

15371a. Did you find a bar?—Yes, quite an elaborate bar.

15372a. Any bar-tenders?—Yes, a bar-tender.

15373a. Were liquors exposed in view as they would be in a saloon?—Yes, just in the same way, on a sideboard behind the bar.

15374a. Did you notice whether there was a billiard-room in connection with it?—There was a billiard-room in which several men were playing billiards. There was another room in which a number of men were sitting conversing, while another room contained some small tables, with packs of cards lying on them, but nobody was playing at the time.

15375a. Did you notice whether any gentlemen in the club-room were reading papers, magazines, &c.?—Yes, some gentlemen were reading papers.

15376a. Did you visit any other club?—Yes, we visited one called the Columbia Club, in the same building, on the next floor above.

15377a. What was that like?—It was in the nature of a mechanics' club.

15378a. How was admission gained?—The reporter gained entrance by a latch key.

15379a. What did you find in there?—We saw a number of men there who, in their dress, resembled mechanics. Several of them were sitting in a room with a keg of beer among them, and they were drinking beer from this keg.

15380a. Did you notice whether there was a card-room in connection with that place?—There was a card-room.

15381a. Anybody playing?—I did not see any one playing.

15382a. Were the men whom you saw in these clubs orderly and well-behaved?—Yes, I did not see any men intoxicated, or showing the least signs of intoxication.

15383a. When did you reach Des Moines?—We reached there on Tuesday evening, and were there about 24 hours, leaving on Wednesday evening.

15384a. Des Moines, I understood you to say, is the capital city of the State of Iowa?—Yes.

15385a. To what place did you go after you left Des Moines?—Cedar Rapids.

15386a. Is that an inland place?—Yes, comparatively.

15387a. How large a town is that?—It has a population of, I should say, about 5,000 inhabitants.

15388a. Tell us what you saw at Cedar Rapids?—We visited a couple of breweries.

15389a. Does the law of Iowa allow breweries?—No.

15390a. What did you see at these breweries?—We saw the business being carried on. The breweries were open, but we were informed that the first brewery visited, that of Mr. George Williams, was not manufacturing. We were in the cellar of this place, where we saw a large number of casks piled up, and some men at work removing the casks from one place to another.

15391a. Were you taken anywhere else besides these two places?—The man in charge took us to a railway siding near the breweries, where a large number of cars were standing on the track.

15392a. Did you see anything in these cars?—I saw casks, apparently lager beer casks, and a large number of cases.

15393a. Do you remember how many cars there were?—I made a note of the number at the time. There were 14 box cars.

15394a. Did you visit any other place at Cedar Rapids?—We visited another brewery.

15395a. What did you see there?—Just about the same as we saw in the other places.

15396a. Was there any manufacturing going on?—I did not see any manufacturing myself.

15397a. Did you see any bottling going on?—Yes.

15398a. I forgot to ask you who were with you at Council Bluffs in going about and seeing these open saloons of which you have spoken?—Judge McDonald, Dr. McLeod, Mr. Spence and Mr. Kribs.

15399a. Who were with you at Cedar Rapids when you visited these breweries?—Judge McDonald and Dr. McLeod.

ALBERT HORTON.

15400a. Was the Mayor of the town with you?—The Mayor of the town and Mr. Kribs, I think. I thought Mr. Spence was with us also; I may be mistaken.

15401a. Was there a newspaper man with you?—I think the newspaper man was not with us at the brewery.

15402a. What was the name of the newspaper man who was with you at Cedar Rapids?—Mr. Faulks.

15403a. What place did you visit after leaving Cedar Rapids?—Clinton, Iowa.

15404a. Where is Clinton situated?—It is situated on the eastern border of Iowa.

15405a. How large a town is Clinton?—Clinton is a town of, I suppose, 10,000 or 11,000.

15406a. Did you go about at all?—Yes.

15407a. By whom were you accompanied in Clinton?—Judge McDonald and Mr. Spence.

15408a. What did you see in Clinton?—We arrived at Clinton on Thursday evening, after leaving Cedar Rapids. That evening Mr. Spence and I took a walk through the town, and we saw on the main business streets a large number of saloons very close together.

15409a. Were they advertised as saloons?—Yes, their signs were conspicuously displayed, bottles in the windows and quite brilliantly lighted.

15410a. Did they look just like licensed saloons in a place like Toronto?—Just the same. In one place on the main business streets we found three of them side by side.

15411a. This was in the prohibitory State of Iowa?—Yes.

15412a. Did you see any breweries in Clinton?—No.

15413a. These places you have mentioned as visiting, Council Bluffs, Des Moines, Cedar Rapids and Clinton, are they all in the prohibition State of Iowa?—Yes.

15414a. Council Bluffs on the western border, Clinton on the eastern border and Des Moines and Cedar Rapids in the interior?—Yes.

15415a. Did you then leave the State of Iowa?—Yes, and we then went to Minnesota.

15416a. Minnesota is under what law?—High license.

15417a. Where did you spend the Sunday?—In St. Paul, the capital.

15418a. How did you find things in St. Paul upon Sunday?—Very orderly.

15419a. Were many people going out to the country places?—Vast numbers of people were going out to the country in the afternoon.

15420a. How did you find the people in St. Paul as to sobriety and orderly conduct?—Quite as sober and orderly as on any Sunday that I have seen in Toronto.

15421a. Were you in St. Paul on a Saturday night?—Yes.

15422a. Were you on the street that night?—Yes; we walked through some of the main business streets which were thronged with people, shopping and promenading.

15423a. Did you notice any drunkenness or disorderly conduct?—I did not see any drunkenness whatever. On Saturday night I also visited a music hall in connection with a drinking saloon.

15424a. Would that be what is called a beer garden?—I suppose it may be called a beer garden; I would call it a concert hall. A concert was in progress, some singing, and music and dancing on the stage. A large number of people were sitting about at small circular tables.

15425a. What were these people doing at the table?—They were drinking, apparently lager beer.

15426a. Did you visit any other musical place in St. Paul?—Yes; on the Monday evening following we visited another concert hall.

15427a. How did you find things there?—Somewhat similar to the others, but it was a smaller place; there were fewer people. The music was nearly all instrumental.

15428a. Taking these two places as you saw them, were the people in them orderly and well conducted?—Yes; so far as I could see. I saw nothing improper.

15429a. Was Minnesota the last State you visited?—We came through Illinois to Chicago, which we reached on the first of June.

15430a. While in Chicago were you about at all?—Yes.

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15431a. Did you notice the state of things as to good order and sobriety? Did you see any drunkenness?—I saw some drunkenness in Chicago, on the streets.

15432a. Much?—I would not say much. I saw two or three drunken men.

*By Rev. Dr. McLeod :*

15433a. By whom were you instructed to make these investigations?—I was instructed by Dr. Bradley, the chief reporter, to accompany the Commissioners as Acting Secretary and stenographer. His instructions to me were, that I was to keep the minutes of the proceedings of the Commission. I was instructed by the presiding Commissioner, Judge McDonald, to make notes of various matters which came under the notice of the Commissioners, in the course of their inquiries, and I was also instructed by Mr. Gigault to take the notes which he gave me.

15434a. Did the Commission as such give you these directions?—Well, I was instructed by Dr. Bradley, who, I understood, was acting on the behalf of the Commission.

15435a. Did Dr. Bradley instruct you to make notes of what came under your observation with a view to submitting them in evidence, or did he instruct you to make minutes of the meetings and other proceedings of the Commission, the names of the witnesses, and to take, of course, by stenography all the evidence which was submitted?—I have the letter of instructions. In a letter dated "Royal Commission on the Liquor Traffic, Montreal, April 29, 1893," Dr. Bradley writes :

"I have named you as stenographer and Acting Secretary of the Commission on its tour through the Western States."

Then, on May 4, 1893, Dr. Bradley writes again :

"ROYAL COMMISSION ON THE LIQUOR TRAFFIC,  
Montreal, May 4, 1893.

I have definitely arranged with Sir Joseph Hickson that you go with Commission on Western trip, which will cover Kansas, Iowa, Minnesota, and probably two or three other States. Your position will be that of Acting Secretary and stenographer. As Acting Secretary, you will attend meetings of the Commissioners, keep regular minutes and aid the Commissioners in carrying through the work."

In another letter, dated May 5, from the office of the Royal Commission on the liquor traffic, at Montreal, Dr. Bradley writes me as follows :

"As you are no doubt aware, Judge McDonald acts as Chairman in the absence of Sir Joseph Hickson."

15436a. Did you understand from these letters that you were expected to make minutes of your observations on behalf of the Commission, and then submit them in evidence?—I did not understand that I was to submit them in evidence. I understood I was to take such notes as I was directed to take, in addition to the statements of the witnesses who should appear.

15437a. And you have only taken such notes as you were directed to take?—I have taken such notes as I was directed to take, and such others as I considered I was expected to take in the line of the instructions I received.

15438a. In any direction you received to take notes, was that direction given by the Commission, or by some individual member or members of the Commission?—In the details of the notes——

15439a. I am not talking of any notes in particular. When you had directions at all, were they given by the Commission as such, or by some individual member or members of the Commission?—It was usually by some individual member or members of the Commission. Of course, I may state there were only three members of the Commission.

15440a. They constituted the Commission for the purpose of that investigation?—I presume so, for the purpose of that investigation.

15441a. But do you not know whether these three members of the Commission acting as such concluded to have you take such notes, and then directed you to do so?—I do not know.

ALBERT HORTON.

15442a. Do you give this evidence at the suggestion of the Commission?—I was simply called to give evidence here. I do not know whether it is at the suggestion of the Commission, or at whose suggestion it is. It has not been at my own suggestion.

15443a. It is not voluntary?—No.

15444a. There is no objection at all, so far as I am personally concerned, to your giving evidence, but I wanted to know whether you understood yourself to be instructed by the Commission to give this evidence here, or by some member of the Commission, or by some one else.

The CHAIRMAN.—Do you think that is material?

Rev. Dr. McLEOD.—I think so. I trust there is nothing about this that ought not to go into the record.

The CHAIRMAN.—I am only trying to keep the discussion in proper line.

Rev. Dr. McLEOD.—I do not understand that the questions I am asking are in an improper line. If Mr. Horton objects to answer my questions——

Mr. HORTON.—I have no objection to answer any question.

The CHAIRMAN.—I only suggested that in that connection the questions were not material.

Rev. Dr. McLEOD.—I have a great deal of respect for your judgment, but in my judgment they are material.

The CHAIRMAN.—Very well, please proceed.

*By Rev. Dr. McLeod:*

15445a. You spoke about visiting Kansas City, Kansas. You were in Kansas City, Missouri, also?—Yes.

15446a. Did you notice the state of things in Kansas City, Missouri, on Sunday?—Yes.

15447a. What was it like?—There was a good deal of business carried on in Kansas City, Missouri. So far as I could see nearly all the saloons, if not all, were quite open.

15448a. That city is under the license system?—Yes, the cigar stores were open, the taverns were open.

15449a. Do you know whether the license law governing the trade in Kansas City, Missouri, requires the saloons to be closed on Sunday?—I believe it does.

15450a. Yet they were open?—Yes.

15451a. Did you see any drunkenness in Kansas City, Missouri, on Sunday?—I did.

15452a. Any other signs of demoralization?—Well, I saw a theatre quite open opposite the hotel at which we were stopping—if you would call that demoralization. It is a matter of opinion.

15453a. Would you get the impression from your observation of Kansas City, Missouri, on Sunday, that the moral conditions were particularly good?—No, on the contrary, I thought that to one whose standard of Sunday observance was fixed by the customs of Toronto, it was somewhat shocking.

15454a. Did you go over into Kansas City, Kansas, on Sunday?—No, I did not.

15455a. You did not take any steps then to institute a comparison between the two places on Sunday?—No, I did not. I received no instruction to do so.

15456a. You only did what you were instructed to do?—Well, I did more, than I was instructed to do, of course.

15457a. I inferred that from your saying that you received no instruction?—During some of my leisure time I went about on my own account, not very much.

15458a. In Kansas City, Kansas, according to your statement, there was a somewhat deplorable condition of things as to pool-rooms, gambling places and saloons open here and there. Do you know whether there has been at any time any attempt to check and prevent that, and whether the attempt met with any degree of success? Of course, we have evidence on that point, but I want to get what you may have learned yourself?—I did not learn anything more on that subject than appeared in the evidence.

Judge McDONALD.—So far as I notice, the evidence given by Mr. Horton is as to what he saw. What people have told him, I suppose, is part of the record.

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Rev. Dr. McLEOD.—When I ask him what any one else has told him, you may take objection. I said we had evidence on that point; but I was asking Mr. Horton what he had learned for himself, I was not asking him what any witness brought before us had stated, because the record shows that.

Judge McDONALD.—I thought the line of your inquiry pointed to what he had learned from other people.

Rev. Dr. McLEOD.—I am not seeking for evidence either in confirmation or refutation of the statements made by witnesses before the Commission, but what I was asking Mr. Horton was this: If he had knowledge that anything had been done at any time to check the condition of things concerning which he has given testimony.—I have no personal knowledge.

15459a. But do you know whether the condition of things in Kansas City, Kansas, on Sunday or at other times, is different, or better, or worse than the condition of things in Kansas City, Missouri?—No, I was never in Kansas City, Kansas, on Sunday.

15460a. You have spoken about Topeka; is it a larger place than Kansas City, Kansas?—I think Topeka is the larger place.

15461a. And quite an important place as the capital of the State?—Yes, quite important.

15462a. Did you observe there considerable violation of the prohibitory law?—No.

15463a. Did you seek diligently for it?—No, I did not seek diligently for it at all.

15464a. Did you seek for it with equal diligence there as in Kansas City, Kansas, and other places?—I think, so far as I am concerned, I sought with equal diligence.

15465a. In Topeka, did you get the impression that the law was well observed?—That would be drawing an inference on my part.

15466a. As a result of such investigations as you made?—The whole extent of my investigations was to visit the drug store and the club-room I have mentioned.

15467a. Did you see any signs of liquor selling about the streets?—No, not the slightest.

15468a. Did you go into the slums of the city?—I did not see any slums. Topeka struck me as a most orderly and exemplary city.

15469a. Did you make any investigations at all in Ottawa, Kansas?—I made no attempt to find out personally whether liquor was sold there or not.

15470a. You do not know that there is violation of the law there, from your own observation?—I do not.

15471a. In Leavenworth you have told us that there was flagrant violation of the law?—Yes.

15472a. Now, is there a difference in location between Kansas City and Topeka?—Yes, Topeka is inland, and Kansas City, Kansas, is, as I have stated, on the border line between the State of Kansas and the State of Missouri.

15473a. The two cities run into each other, do they not?—Any one not knowing the circumstances would suppose they were simply one city.

15474a. Is there any peculiarity about the location of Leavenworth?—Leavenworth is a border town, upon the eastern border of Kansas.

15475a. What State is adjoining it?—Missouri.

15476a. Are there any other things in connection with Leavenworth that may account somewhat for the condition of things you have described? Is there a military establishment there?—There are two military establishments in the neighbourhood of Leavenworth.

15477a. Is there a penitentiary there?—There is a penitentiary within two or three miles of the city.

15478a. Now, from your observation of Leavenworth and your observation of Topeka, which presented the more desirable condition?—Topeka, undoubtedly.

15479a. Do you think the situation of Kansas City, and the situation of Leavenworth has anything to do with the condition of things in them?—That would be asking me to draw an inference.

15480a. And you do not propose to draw an inference?—I would prefer simply to state facts.

ALBERT HORTON.

15481a. We have had a lot of inferences by other witnesses during this investigation. You do not know from your own knowledge whether any prosecutions have been taken in Kansas City against these illegal places, nor whether there has been any attempt to suppress them?—I do not know of my own knowledge.

15482a. In Kansas City, Kansas, did you try at any place to buy drink and failed?—I do not think I bought any drink in Kansas City, Kansas.

*By the Chairman :*

15483a. My colleague asked you if you attempted to buy any and failed?—Yes, I think at the restaurant at which we took our dinner, we asked if we could get some beer or ale with our dinner, and the waiter told us we could not. That is the only instance I remember.

*By Rev. Dr. McLeod :*

15484a. Mr. Kribs accompanied you in all these investigations, did he not?—No.

15485a. In how many of them did he not accompany you?—Mr. Kribs was not present at Clinton.

15486a. He was present in Kansas city, Topeka, Des Moines, and Council Bluffs?—He was at Kansas city and Topeka.

15487a. In what places was Mr. Kribs with you during those investigations?—Mr. Kribs was not with us at Ottawa, Kansas, nor at Lincoln, Nebraska. I did not mention Lincoln in my evidence. A portion of the time we were at Clinton, he was not present.

15488a. You did not make any investigations at Ottawa?—No.

15489a. Would that be because Mr. Kribs was not with us?—I could not say.

15490a. When you were making this investigation in Des Moines and other places, do you know whether the people knew the business of Mr. Kribs, knew his relations as representative of the liquor interests?—I could not say.

*By the Chairman :*

15491a. Did you make any investigations at the instance of Mr. Kribs?—I made some investigations, I do not know that it was at the instance of Mr. Kribs, I think it was at my own instance.

15492a. You need not enlarge on it—did you make any at the instance of Mr. Kribs?—I think not.

*By Rev. Dr. McLeod :*

15493a. Did you make any of them under the guidance of Mr. Kribs?—Yes, I think we did at Kansas city, Kansas.

15494a. Do you know whether the people in any of those places understood Mr. Kribs's position?—Yes, I should state that where the Commissioners introduced themselves, Mr. Kribs was introduced as the representative of the brewers and distillers of Canada.

15495a. Another question I would like to ask you—was the lager beer taken by you officially?—I found it very good lager beer, too.

15496a. Since the investigations were undertaken at the suggestion of the Commission in some cases, possibly, in other cases of some Commissioners, I was interested to know whether the lager beer was taken at the same suggestion, or with the same official authority?—No, Sir, I was not asked to take any lager at any place. I simply took it as a matter of good fellowship, and in order to preserve the appearance of things. We went into each of those places as visitors, and ostensibly to procure liquor; and in order to maintain the illusion, I suppose I did my share in the way of taking lager beer.

*By Judge McDonald :*

15497a. On any of the occasions you have spoken of, did any one of the Commissioners partake of intoxicating liquors?—I did not see any Commissioner partake of intoxicating liquors, during the whole tour, from the time we left Toronto until the time we returned.



*By Rev. Dr. McLeod :*

15498a. On any of those occasions, when the Commissioners were together, did any one of them take anything in the shape of a liquid, whether intoxicating or otherwise? Did any one of them not take even what is called soft or temperance drinks on those occasions?—Do you mean as to any particular Commissioners?

15499a. Or any one of them?—Yes, there was one who did not take anything, I believe.

15500a. Council Bluffs, I think you said, is on the border of Nebraska, which is a high license State, and Clinton is a border town in Iowa. Then when we come to Kansas, Kansas City is a border town, and Leavenworth is a border town, bordering on the State of Missouri, while Ottawa and Topeka are interior towns?—Yes.

15501a. Did you notice a marked difference between these cities, Topeka and Ottawa on the one hand, and Leavenworth and Kansas city on the other?—Yes, quite marked.

15502a. If I may ask you to express an opinion, do you attribute that difference to any extent to the geographical positions of the places?—Well, I have not considered that, I would not care to express an opinion.

15503-4a. Do you attribute the good condition of things which you say you observed in Topeka, at all to the prohibitory law?—I cannot say, because I have no means of instituting a comparison between the condition of things in Topeka under a prohibitory law, with those that existed prior to the prohibitory law.

15505a. Then do you attribute the bad state of things which you described in Kansas City, Kansas, to the prohibitory law?—No, certainly not.

15506a. So that on the one hand you do not attribute the good, and on the other hand you do not attribute the bad, to the prohibitory law in any degree—the bad in Kansas City, and the good in Topeka?—May I ask what you mean?

15507a. According to your own description, you say you found a good condition of things in Topeka, but you do not attribute that to the prohibitory law?—No, I did not express an opinion.

15508a. You found a bad state of things in Kansas City, Kansas, and you do not attribute that bad state of things to the prohibitory law either?—I did not say that I found a bad state of things in Kansas City, Kansas; I spoke of gambling.

*By the Chairman :*

15509a. You have only been describing what you saw. I understand you have an objection to express opinions. If you have objections, you need not express opinions?—I have no objection to express an opinion on anything whatever, if my opinion is worth anything.

*By Rev. Dr. McLeod :*

15510a. On coming into Iowa, you say you found a rather lamentable condition of things at Council Bluffs, at Clinton, at Cedar Rapids and Des Moines. Did you find any difference between Des Moines and Council Bluffs?—In what respect?

15511a. As to the drink traffic, the two places being in the same State?—In Council Bluffs the liquor traffic was openly carried on as a liquor traffic; in Des Moines it was not openly carried on as a liquor traffic, but ostensibly as something else.

*By the Chairman :*

15512a. Carried on under a cloak, as some other business?—It was openly carried on, but not ostensibly as a liquor traffic, that is, there were no external or public indications of a liquor traffic, maintained.

15513a. You have no idea, from your own personal knowledge, of the extent of the liquor traffic in Des Moines prior to the prohibitory law?—No.

15514a. Nor at an earlier period of the prohibitory law?—No.

15515a. So you are not able to say whether the present condition is better than the former?—No.

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15516a. Did you observe in Des Moines any open places for the sale of liquor, flaunting their signs?—I saw open places for the sale of liquor, I do not remember that I saw any public signs.

15517a. Was there any exposure of bottles and other things pertaining to the trade, in the windows?—I did not see any in Des Moines.

15518a. But you saw that in Council Bluffs?—I may say that in Des Moines I did see whisky exposed for sale in a drug store connected with the hotel at which we were stopping, which was entered from the rotunda of the hotel. Shortly after we arrived at the hotel Mr. Kribs asked me to accompany him to the drug store, and I did so. He asked the attendant if he sold Canadian whisky, and the attendant said he did, and sold him a bottle of Walker's Canadian whisky.

15519a. They did not drink it there by the glass, then?—I do not know, he simply asked for a bottle. That was the only instance I saw.

15520a. Did you learn from your own observation in Des Moines, whether attempts are made to enforce the prohibitory law with any degree of success?—I only learned from the statements made to us.

15521a. Taking what you saw in the police court, would that indicate there were attempts being made to enforce the prohibitory law?—I would not draw the inference that there was an attempt to enforce the prohibitory law; the inference I would draw was that the police had made a good many seizures of casks and barrels partly filled with liquor.

15522a. Would that be by the police or by the Sheriff?—By the Sheriff.

*By Rev. Dr. McLeod:*

15523a. You would not know why these seizures were made at all?—I presume they would be made under the sanction of the prohibitory law, or for the purpose of enforcing the law.

15524a. You do not know that?—I do not know that. I presume it was either for the purpose of enforcing the law, or for making a show of attempting to enforce the law.

15525a. Have you any impression as to which purpose?—Well, I have an impression as to which purpose, from an incident that occurred.

15526a. We would like to have it?—At a liquor place we visited, which was in connection with a cigar and tobacco establishment, we were introduced to the proprietor, and he remarked to us with a smile, that he wished we had been there a few minutes before, because we would have seen a seizure of a half empty cask of lager beer. But he added that that was the way the police made a show of enforcing the law, that they came in and when they found lager beer on tap, whether the vessel was partly filled or empty, they carried it away, and then the proprietors of the establishment, or his bar-tender, immediately after the departure of the police, went to the cellar and brought up another cask and tapped it, and they went on with their business.

15527a. So you think these seizures were to make a show of enforcement?—It looked very much to me like that.

*By the Chairman:*

15528a. You cannot say whether these casks had been seized or not, you simply saw them?—I have no personal information on the subject. I have only the information conveyed in the statements made to us by the police officers.

15529a. Did the police officer tell you that these two casks that you saw in the police station, had been seized?—Yes.

*By Rev. Dr. McLeod:*

15530a. I think the evidence of the Chief of Police and of some other officers makes that matter clear. I did not ask you that question, because I did not presume it was necessary to ask you to confirm the statement of the Chief of Police, which is on record?—I have no direct evidence that they had been seized, but you asked me my opinion.

15531a. Is it your impression that these seizures were made only ostensibly for the enforcement of the law, and that in reality they were mere blinds?—I have not any evidence that that was the case; but you asked my impression, and I stated my impression, and the incident on which I based it.

15532a. Are we then to understand that you are inclined to think these seizures were a blind?—I would not like to say that of the seizures generally, but I would say it of some of them.

15533a. Would you confine it to that one instance?—Perhaps. That incident may be typical.

*By the Chairman :*

15534a. Have you any other experience to relate?—No.

*By Rev. Dr. McLeod :*

15535a. You were in Omaha on Sunday, and I think you said you found it a very orderly place. Did you observe any signs of Sunday selling?—Yes.

15536a. Did you see any in the hotel where you stopped?—No.

15537a. Or elsewhere?—Passing along the street, in one or two instances I saw men entering side doors.

15538a. Were you looking diligently for it?—No.

15539a. Were you that day under instructions, looking for violations of the law?—Only in so far as my general instructions told me to aid the Commissioners in their inquiry in any way I could.

15540a. Did you make the same investigations in Chicago by instructions of the Commission?—Yes.

15541a. And you got some statistics, I suppose?—Yes.

15542a. Then you made observations on your own account?—No, I did not make any observations. I simply saw some cases of drunkenness without making any special observation.

15543a. Now, in Omaha or Chicago, whether by day or by night, did you see any flagrant immorality of any kind, like solicitation for prostitution, or things of that sort?—No, I cannot say that I did.

15544a. You saw no signs of a somewhat brazen immorality in those cities?—I cannot recollect of having seen any.

15545a. You were not looking out for anything of that kind?—No.

15546a. Did you see any in Topeka, for instance?—No.

15547a. Did you notice anything different in Omaha and Chicago from what you see in Toronto?—Omaha struck me as being a place very much like Toronto in regard to its order and decency.

15548a. You were in St. Paul over Sunday?—Yes.

15549a. I think you said you saw no evidences of Sunday sale?—I did see evidences of Sunday sale in St. Paul.

15550a. I understood you to say that you found it very orderly and quiet without any evidence of Sunday sale?—I saw something in the outskirts, a place where I went myself in the afternoon for a trip. I do not know whether the place was in the city of St. Paul itself, but at the terminus of the street railway track I saw a drinking place open, and people going in.

15551a. Would you suppose from what you saw that there was any open or secret sale throughout the city on Sunday?—If there was any, the evidences were not at all conspicuous.

15552a. Would you think the Chief of Police of the city was very good evidence on that point?—I should think so.

15553a. I may mention to you that he said there was no pretense of preventing Sunday sale, and he would be as good a judge as a casual visitor?—He would be a better judge than I am in that respect.

ALBERT HORTON.

*By the Chairman :*

15554a. Are you speaking of anything but what you saw?—I am only speaking of what I saw myself. I went to church on Sunday morning, and on Sunday afternoon I went out and went into the country.

15555a. Did you notice whether there was a drift of people out of the city by street cars on Sunday towards any park or beer garden at St. Paul?—I noticed that the street cars running out to the suburbs in all directions, apparently, were crowded with people. A great many were also going to Minneapolis, with which St. Paul is connected by an electric line.

15556a. Speaking of these clubs which you saw in Iowa, do you know whether they had any right under the law to furnish liquors to members, or the members to furnish liquors to their friends?—I understood that the law prohibited giving liquor as well as selling.

15557a. Do you know whether the law permitted druggists to sell in the manner they did, or in any manner at all?—I understand that the law permits druggists to sell on an affidavit of the applicant that he requires liquor for medicine.

15558a. An affidavit or a mere statement?—An affidavit.

15559a. You think the law requires that each applicant for alcohol for medicine shall make an affidavit?—I am not sure about that.

15560a. Were you in any rural districts in Kansas or Iowa?—No, except passing through on the train.

*By Rev. Dr. McLeod :*

15561a. Did you make the same effort to ascertain whether there were infringements of the high license law in St. Paul and Omaha, that you made to ascertain whether there were infringements of the prohibitory law in Kansas and in Iowa?—No, I do not think so.

15562a. Were you instructed to do so in the same manner and terms?—Well, I was not instructed to ascertain whether there were any violations.

15563a. Were you instructed to look into certain specified things?—No.

15564a. Would it be practicable for you to find out whether a license law in any State was as generally infringed as a prohibition law in another State?—I do not think so, because the infraction of a prohibitory law simply means the purchasing of a glass of liquor, whereas infractions of a license law are matters much more occult.

15565a. You mean that infractions of a license law are unnoticed, whereas infractions of a prohibitory law are almost always noticed?—I am speaking of the nature of infractions of a license law. Infractions of a license law are not so much on the surface as those of a prohibitory law and are not so easily ascertained. For instance, infractions of a license law mean the sale on Sunday, the sale to minors, the sale to intoxicated people, but infraction of a prohibitory law means the sale at all.

*By the Chairman :*

15566a. It means all the former, with the sale superadded?—With the sale superadded, so that any sale at any time means an infraction of a prohibitory law ; whereas you might have to visit a licensed place a great many times without discovering an infraction of the law.

*By Rev. Dr. McLeod :*

15567a. But you go further, you mean that infractions of a license law are much easier and less noticeable?—No ; on the contrary, I think they are much more difficult and much more noticeable.

15568a. Infractions of a license law are much more difficult and much more noticeable than infractions of a prohibitory law ; is that what you mean to say?—I think perhaps they are equally noticeable when they occur, but they are not so readily committed at all times.

15569a. Were the Commissioners with you in St. Paul when you made your investigations on Saturday night and Sunday?—On Saturday night Judge McDonald was with me a portion of the time, on Sunday I think he was not.

15570a. Was Mr. Kribs with you Saturday night?—He was with me Saturday night and a portion of Sunday.

15571a. Well, is this the case, that in your observations in Kansas and Iowa, by instructions of the Commissioners or otherwise, you were looking for infractions of the prohibitory law; and in your observations for Omaha and St. Paul, by instructions or otherwise, you were looking for the good features of the high license law?—No; that is not the case.

15572a. Were you as diligent in your endeavours in St. Paul and Omaha to discover infractions of the high license law, as you were in Des Moines, Kansas City and Leavenworth, to discover infractions of a prohibitory law?—I was.

15573a. Why did you not make any investigations in Ottawa, Kansas?—I was not instructed to make any investigations in Ottawa.

15574a. Was your diligence adjusted to instructions?—My diligence was according to instructions except in one or two instances, when, merely as a matter of pastime, I walked about the city.

*By Judge McDonald:*

15575a. You stated in answer to Dr. McLeod, that you found one restaurant in Kansas City where you asked for beer and it could not be obtained. Is that restaurant very much like a coffee-house in Toronto?—Very much the same as an ordinary eating-house.

15576a. At these places called drug stores in Des Moines where you saw these sales of liquor, were any certificates or affidavits asked for?—Nothing was asked for.

15577a. Was the sale made as it would be in an ordinary bar in a licensed place?—Just in the same way, except that in one place only they had a counter. In one of the drug stores was a counter for the sale of liquor.

15578a. You spoke of the orderly and quiet state of things in St. Paul on Sunday. Did you have an opportunity to see these same people returning on Sunday evening from their promenades into the country?—Yes.

15579a. Did you see family groups?—A large number of men, women and children.

15580a. How did they conduct themselves?—They were very orderly and well behaved, returning to their homes apparently.

15581a. I may ask you whether any Commissioner was with you on Sunday, either in St. Paul or Omaha?—I do not think so, neither in St. Paul nor Omaha.

*By Rev. Dr. McLeod:*

15582a. Was Mr. Gigault with you in Omaha?—No.

15583a. When you made these notes were you expecting to give evidence based on these notes?—No, I was not.

15584a. That was suggested to you later?—I was called later to give evidence.

15585a. That was suggested to you later?—Yes, any suggestion that was made to me was made later than that.

15586a. I desire to ask this other question. Did you look as carefully for evidence of law enforcements in Kansas and the other places, as for law infractions?—I do not think I drew any distinction; I think I did.

15587a. What did you learn about law enforcement? Did you look diligently for it? You have learned something about law violation, did you learn anything about law enforcement from your personal observations?—I learned that in Ottawa, so far as I could see, there was no sign of a saloon or any open sale of liquor.

15588a. What about Topeka?—I could say the same thing of Topeka. Both those towns were most exemplary towns, so far as I could see.

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15589a. In Kansas city, Missouri, under high license, was the law violated?—I have stated already that the state of things in Kansas City, Missouri, on Sunday, was somewhat shocking to one who is accustomed to the orderly Sunday of Toronto.

15590a. Did you see anything in Kansas or in Iowa that equalled Kansas City, Missouri, for disregard of the law and general demoralization on the Lord's day?—I was not in the State of Kansas on a Sunday, nor was I in the State of Iowa on a Sunday, except at Council Bluffs.

15591a. On any other day than Sunday, how did the condition of things in Kansas City, Missouri, compare with the condition of things in Topeka on any other day than Sunday?—Well, in what respect.

15592a. The general condition, everything that a visitor would observe?—During the day time in Kansas City, Missouri, I do not recollect having seen any more disorder than in Topeka during the day time; but during the night time in Kansas City, Missouri, I saw quite a number of cases of intoxication. I saw two or three women intoxicated on the streets of Kansas City, Missouri, on a Saturday night.

15593a. You did not see any in Topeka?—I was busy with work and could not be on the streets.

15594a. Did you see in Des Moines such things as you have mentioned seeing in Kansas City, Missouri?—No.

15595a. From your observation of the liquor traffic as carried on in Kansas City, Missouri, both according to law and against the law, and your observation of the liquor traffic as you saw it carried on against the law in Leavenworth and in Kansas City, Kansas, what is your impression of the effect of the liquor traffic as you saw it in those places? Is it a desirable thing or not?—That is asking me to express an opinion.

15596a. It has been asked of a hundred witnesses. If you do not wish to express an opinion, I will not press the question? No answer.

*By Judge McDonald:*

15597a. Perhaps it would be well to answer it, and also give the impression left upon your mind from a comparison of the liquor traffic as carried on in a prohibition State, and as carried on under a high license law?—I am quite willing to accept both.

*By the Chairman:*

15598a. You can please yourself in answering those questions?—I have no objection whatever to express an opinion.

*By Judge McDonald:*

15599a. Kansas City, Missouri, is, I believe, a city with a population of over 100,000?—Yes.

15600a. Topeka, has 119,000, I think?—It is considerably over 100,000.

15601a. Is Ottawa a city of about 35,000 inhabitants?—35,000 or 40,000.

*By the Chairman:*

15602a. When you took these notes you were not told you would be called upon to give evidence?—No.

15603a. Did any one suggest to you that you should give evidence, or did one of the Commissioners say you would be called to give evidence at a latter date?—One of the Commissioners told me I would be called to give evidence.

15604a. You answered a question a short time ago referring to the two systems of prohibition and license, as to infringements of which system it would be most easy to discover, and I think you said they would be about equal?—Yes.

15605a. Now, would it be quite as easy to find out the infringements of a license law as a prohibition law?—No. When I stated they could be discovered equally well I meant that they would be about equally visible to any one who was present when infractions occurred; but that a prohibitory law from its nature is much more easily infringed than a license law, and that infractions of that law would be more apparent.

15606a. The sale at all, except under very narrow restrictions, is an infringement of a prohibitory law?—Yes.

15607a. The sale out of hours under a license law might, perhaps, with some little effort, be discovered?—Yes.

15608a. But could the sale to minors and interdicted persons be discovered without a great deal of trouble?—I think not, for the reason that usually such infractions are much more rare.

15609a. Could the fact of whether a man selling had taken out a proper license, be easily discovered?—Yes.

15610a. Do you think if you went into an establishment in Toronto to get a drink, and the man was selling without a license, you could easily discover it?—I think so, in half a minute.

15611a. In what way?—I would ask him if he had a license.

15612a. Would he be likely to tell you unless you could compel him to show you his license?—That is the way—if he showed me his license. If he declined to show me his license I would infer that he was selling without a license.

15613a. But you would not be sure of the thing?—No, not without that evidence.

15614a. Now with respect to the enforcement of a prohibitive law, is it an easy matter to get reliable information in any place under such a law, that due efforts are being made to enforce it?—I think not.

DANIEL CLARK, M. D., Toronto, on being duly sworn, deposed as follows :—

*By the Chairman :*

15615a. How long have you resided in Toronto?—This last time about 18 years, and I was a student here a number of years when a young man.

15616a. Do you hold a position in any public institution?—I am Superintendent of the Insane Asylum in Toronto, and have been there nearly 18 years.

15617a. Have you with you any statistics of the number of inmates of the asylum?—No, except that we can only accommodate at once from 710 to 720.

15618a. Is all your accommodation occupied at the present time?—More than occupied. Then about 100 to 150 come and go during the year, those who are discharged or die.

15619a. Has the population of the asylum been increasing?—Steadily increasing. Its population of course is fixed, because we can only accommodate a certain number.

15620a. Has it been fixed for a number of years?—When I went there about 660 could be accommodated; a few years afterwards we extended the accommodation for 710.

15621a. When it was at 660, was all the accommodation occupied?—It has always been full ever since.

15622a. I presume there is an overflow to some other place?—Yes, there is a branch asylum at Mimico, six miles west, which has accommodation for nearly 600.

15623a. When was that erected?—Within the last two or three years.

15624a. Is it under your charge?—It is under my charge in being a branch, but the executive work is done there. It is a branch of the Toronto asylum, but the officers there do the executive work there, although the head is in Toronto.

15625a. You have a general supervision of it?—A slight supervision.

15626a. Have you to do with the other asylums in the province?—No, only those two.

15627a. Have you formed any opinion as to the causes which have been leading to the large increase in lunacy which has taken place?—Yes, I have paid a good deal of attention to the various causes of insanity.

15627a. Would you please state your conclusions for the information of the Commission?—The most prominent cause of insanity is hereditary inclination. Insanity is

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not bequeathed to any one; it is only a tendency thereto, and when I say heredity, I mean simply that a tendency to insanity has been derived from the parents. This cause would cover about 60 per cent of those who come to the asylum. Then the other causes are varied, among which I may mention intemperance, domestic trouble, business worries, and diseases being followed by insanity, as injuries to the head. Anything that will produce unusual brain activity is conducive to insanity. There are so many causes of a minor sort that it is almost impossible to enumerate them.

15629a. Has excitement in regard to religious matters anything to do with insanity?—Not as much as people imagine. About  $3\frac{1}{2}$  per cent are due to religious excitement.

15630a. Do you say  $3\frac{1}{2}$  per cent of the total, or are you speaking of the 40 per cent arising from other causes than heredity?—I mean  $3\frac{1}{2}$  per cent of the total number. I am speaking now of what you may call heredity as a predisposing cause.

15631a. Have you made any calculations which you consider reliable which would show the number whose insanity may be attributed to, or at any rate excited by, the excessive use of intoxicants?—Before stating my opinion on that point, I may say that statistics in regard to the causes of insanity are very unreliable.

15632a. That statement has been made by others before you, I may observe?—They are unreliable for this reason, that you cannot get very often at the real causes; you have largely to depend for your information upon non-professional people who bring patients to you, as regards the cause of insanity. In the next place you may have two or three causes operating at once; you may have a hereditary tendency to insanity, and starvation, or injury to the head, or intemperance—two or three causes operating together to produce one effect which any of them operating singly might not produce. In respect to intemperance as a cause of insanity, a few years ago a clerical friend of mine in this city wished to write a monograph, or a pamphlet on intemperance, and he asked me to give him information based upon people who came as insane to the Toronto asylum. This must have been five or six years ago. I went to work and examined the exciting causes of insanity in about 6,000 cases, from the books I had in the asylum, and from the analysis which I made of intemperance as a cause of insanity, based largely upon the statement of the friends of the patient, I found about  $9\frac{1}{2}$  per cent of the total cases that could be attributed to intemperance.

15633a. Did you make a regular statement on that occasion?—I gave it to my friend, but he had the impression that I must be wrong, because he thought that there were 30 or 40 per cent attributable to drunkenness, therefore, he left it out of his pamphlet, it was not published.

15634a. Have you a copy of your statement?—It is in my lectures to students.

15635a. Would you be able to supply us with that copy?—That is all there is, just that simple proportion.

15636a. Would you state the examination you had to make and the means you had to take, to get full and accurate information?—I took the books and looked up every name.

15637a. Then the result was just that you have stated now?—That was the result. I suppose I may say, in round numbers, that one in every ten of those who were admitted to the asylum, came there presumably through intemperance.

*By Judge McDonald:*

15638a. I think you said you have accommodation for over 700 in Toronto, and some 600 at Mimico?—Yes.

15639a. Then there is the asylum at Hamilton?—Yes, and one at London.

15640a. There is also an idiot asylum at Orillia, and a new one being constructed at Brockville, and one in Kingston?—Yes.

15641a. Is the one in Kingston also used for criminal lunatics?—We have a criminal branch for lunatics in the penitentiary now. The Government of Ontario bought the Kingston asylum and used it for provincial purposes.

15642a. You say that religious excitement, or so called religious excitement, produces only about  $3\frac{1}{2}$  per cent of the cases of insanity?—I do not think it is really that.



I think that very often they are on the border-land of insanity, and become excited as a manifestation of insanity rather than from religion as a specific cause.

15643a. Taking the different classes, is there any difference in the degree of hopefulness for recovery?—It depends firstly on whether there is any hereditary tendency. Those who have parents, or grandparents, or uncles and aunts, insane, have not that hopefulness of their recovery that they would have if they had not that downward tendency. But it is not hopeless by any means, a large number of those recover; because in heredity there is a great deal of foreign blood introduced in marriage, which may often counterbalance the hereditary tendency. Take a mother who is insane, if the father is a healthy man, the children may take after the father, and the healthy condition of the father may dominate over and keep in subjection the tendency of the mother towards insanity.

*By Rev. Dr. McLeod:*

15644a. Speaking of this 9½ per cent that you discovered as having been caused by intemperance, do you refer to intemperance as the exciting cause?—As the exciting cause.

15645a. Have you been able to determine in how far intemperance in parents or grandparents—go back as many generations as you like—may have been a predisposing cause that is likely to develop in insanity in the children?—I have no doubt in my own mind that intemperance in parents produces almost absolute degeneracy in children, to a greater or less extent.

15646a. Mental degeneracy?—Yes, and physical degeneracy. I have watched closely those who are dipsomaniac, those who have intermittent bouts of drunkenness, but who for months together may hate the very sight of liquor; then when this maniacal condition comes on nothing will stop them from their drunken bout, if they can get liquor. A large number of those dipsomaniacs who have intermittent spees, so to speak, are so from hereditary causes.

15647a. Then you think that in addition to this 9½ per cent, the habit of intemperance in parents may have something, or considerable, to do with the hereditary tendency?—It is a predisposing cause.

15648a. Have you noticed whether alcoholism in parents predisposes children to the same habit in any degree, as well as to insanity?—The moment you get degeneracy in a child, you can scarcely tell in what direction it may make itself manifest. It might be hysteria, or a number of nervous diseases; it might be an inordinate taste for liquors, or it might be insanity pure and simple. The fathers have eaten sour grapes and the children's teeth are set on edge.

15649a. May I ask you, then, if you think that abstinence from intoxicants would improve the physical and mental health of the people at large?—There is not a doubt about it.

*By the Chairman:*

15650a. Do you mean total abstinence, or abstinence from over-indulgence?—Total abstinence, of course, means an absolute state. If they do not take liquors they do not become drunkards. At the same time, people might take small quantities of liquor and not suffer any malign effects from it. But if you can get total prohibition of the use of all liquors, of course you have got the best condition, so far as that is concerned. I might say here also, from my experience, that at the present time there is much to be feared and much to be dreaded from the use of other intoxicants. I have no doubt in my own mind that for the last quarter of a century there has been a steady increase in the use of opium, of chloral, chlorodine, Indian hemp, of hachis and absinthe, which is menacing the mentality of the people. These things do not make their effects manifest in the same way as alcohol. The man who uses them does not make himself injurious in the neighbourhood or in his family; but the effects are such, as I know, that it has become a serious question whether you will not have to take up all other toxicants as well as alcohol. It is the universal testimony of men who have paid attention to this matter, that there is a large number of those who are even temperate, who are even teetotallers, who take to these drugs and give up alcohol.

DANIEL CLARK.

15651a. Do you think the use of these toxicants is one of the causes of the great increase in insanity which is so apparent over almost the whole world?—That is one of the factors. I have cases coming to the asylum from the use of opium, chloral and so on, and who become insane from that cause. Their effects are so insidious that the victims are far more hopeless than those from alcohol.

*By Rev. Dr. McLeod :*

15652a. The sale of these drugs goes on notwithstanding the severe restrictions with which it is surrounded?—They can get what they want.

*By Judge McDonald :*

15653a. There is no restriction to the sale of some of them?—No.

15654a. Is there restriction on chloral?—I do not think there is much restriction. Druggists can sell it if they wish. Very often a doctor gives a prescription for it, and that prescription lasts for a long time afterwards.

*By the Chairman :*

15655a. Are persons beginning with small doses of any of these drugs, liable to become habituated to their use and to go on taking more?—Very likely, and they are more likely to become drunkards from the use of these drugs than they are from the use of alcohol. They are very insidious and seductive, much more so than spirits.

15656a. Then is it your opinion that the use of these drugs creates an appetite in some cases for alcohol, more often even than the moderate use of beer and spirits?—Those who take these drugs scarcely ever take spirits. They trust to the drug alone, as a rule.

15657a. I thought your answer was that it created a craving for spirits?—No. When you get an opium eater, or chloral eater, or one who takes any of these other drugs, he is very apt to adhere to that alone.

*By Rev. Dr. McLeod :*

15658a. Have you given some attention to the question of the prohibition of the liquor traffic?—Only to what is floating in the public prints.

15659a. You have not made it a subject of special consideration?—No.

*By the Chairman :*

15660a. Have you formed any definite opinion about prohibition?—I have formed the opinion that prohibition would be an excellent thing if it could be enforced. My opinion is that in this country it cannot be enforced. By prohibition I mean a law to prohibit the manufacture, sale and importation of liquors. My impression is that if you had it in force to-morrow, and all these distilleries and breweries were shut down, illicit distilling would go on more largely, also smuggling. With our long frontier and our extensive country, it would be almost impossible to prevent the smuggling of spirits from outside, and the illicit distillation of spirits within the country. It is not an expensive process to make whisky. It could be done very largely in our country beyond the reach of any constable or excise officer.

*By Rev. Dr. McLeod :*

15661a. Then your objection to prohibition would be because of its impracticability?—Because of its impracticability.

15661½a. But if a prohibitory law could possibly be well enforced, do you think the advantages would be quite marked?—I think so.

ROBERT CHRISTIE, Inspector of Insane Asylums, Toronto, on being duly sworn, deposed as follows :—

*By the Chairman :*

15662a. How long have you held the position of Inspector of Asylums ?—My duties have been solely confined to that work for three years past. Prior to that, I was Inspector General of Prisons, Charities and Asylums for Ontario. For some years I had acted for my colleague the late Dr. O'Rielly until his death. Since then the position and duties of asylum inspection have been awarded to me wholly ; while the jails and prisons, and deaf, dumb and blind institutions, are under the supervision of Dr. Chamberlain.

15663a. Then there are two General Inspectors ?—There are three now, myself, Dr. Chamberlain and Mr. Noxon.

15664a. What particular branch of the service does Mr. Noxon undertake ?—Mr. Noxon's principle duties are largely centred in the Central Prison, but he has some duties with regard to dietary and other matters in all the institutions. There is a division of work in that respect. That is the present arrangement. I may tell the Commission that as far as the Inspector's duties go, they are changed from time to time by the Government. Changes must be made from time to time as the work increases or changes in its character.

15665a. Do you mean that you might be instructed to inspect some of the prisons on short notice ?—It is not likely that I would be called upon to do so, because my duties keep me very closely occupied.

*By Rev. Dr. McLeod :*

15666a. Do we understand that after a year or two as Inspector of Asylums, you might be transferred to the prisons branch, and somebody else to asylums ?—It is possible, not likely.

*By the Chairman :*

15667. I understood that any of the Inspectors might have a special duty assigned to them to make an inspection ?—Yes.

15668a. Have you brought with you any summary of the inmates ?—Yes, I have brought copies of the returns for the last ten years made to the inspector, with respect to intemperance as being a cause of insanity.

15669a. Can you give us first the number of inmates, the number of persons sent in each year to asylums, then the number remaining in the asylums at the end of each year, and that for a series of years, so that we may be able to see what changes have taken place ?—I hand you a table.

15670a. In 1857 I see the number of admissions was 397 ; remaining on October 1, 1858, 561 ?—You will notice by a foot note that at present those are institutions in which the insane are confined exclusively. Idiots are separate.

15671a. The admissions in 1857 were 397. For 1893—that must be only a part of the year—the returns shows 753 admissions ?—Yes, the official year ends 30th September.

15672a. Very nearly double the number of 1857 ?—There was a falling off during the later portion of 1892.

15673a. In 1892 the number was 792, 39 more than in 1893. Here is a foot note which says :

“ The great difference shown in the admissions from one year to another in some institutions is due to the opening of new asylums, when there would always be a large number admitted that had been refused admission before by reason of no room for them being obtainable.

Now, is the great increase in the number of residents in the asylums to be attributed to a great increase in the number of insane persons in the community, or is it owing to their hibernation, if I may use the word, in the asylums ?—I think the in-

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crease of patients domiciled in the asylum is due to a great many causes. I have no doubt that insanity is on the increase ; I have no doubt that is a fact, however difficult it may be to get statistical knowledge such as would be perfectly reliable. I find in reading reports from British and American asylums that there is a very much larger number under charge now in the institutions than there was at a former period, a number much larger than the average increase of population would warrant ; consequently I presume that there is an actual increase of insanity.

15674a. Speaking with respect to Ontario, in former years was it not the case that insane persons were kept at home and taken care of by relatives to a much larger extent than they are now ?—There is no doubt of that.

15675a. Has not the change of custom in that respect added largely to the numbers in the asylums ?—I think it has. The public confidence in these institutions is much greater than it was, and the percentage of cures is larger, and consequently the community at large has greater confidence in the treatment and care of their unfortunate relative, all of which conduces to the greater use of asylums.

15676a. Have you made any comparison of the number of insane in Ontario with the number in any other province, or in the States ?—I have for years made a vigorous effort to make a comparison that I would feel to be reliable, but I am compelled to say that I think any estimate must be approximate. The returns in Great Britain are possibly more certain and more correct than those in any other country, because the system in operation there has been in practice longer, by which a census of all the institutions is collated. In Ontario we have no trouble at all, we know to an individual the number of patients from year to year, the difficulty is to know what number are residents outside. The only knowledge that I can have on that point is the bulletin of May, 1893, issued from the Department of Agriculture in regard to the census returns of the Dominion. This seems to have been compiled with great care, and I think it may possibly be relied upon, because the means have been in the hands of the compilers to a great extent. In the United States the difficulty is that each State of the Union has its own organization, it has no responsibility in regard to some of the institutions, which are not supervised by the State in a great many cases, but by different counties. Until, I think, three years ago when a Commission in Lunacy issued for New York State there was no possibility of getting any reliable statement that would have official authority. Each institution had its own individual character, its own individual responsibilities, its by-laws and rules. It received a certain sum from the State from year to year. They charged for maintenance such rates as they saw fit. I am pointing that out to show how difficult it is under such circumstances to collect any such returns as would give a knowledge of the number of insane people in that country. In looking over the latter last year I was very much struck with a statement made at Chicago by Dr. G. M. McDowall, President of one of the societies, who confessed himself unable to master the statistics in respect to the matter. I may say, however, that within the last two years a much advanced position has been taken in respect to all that work, and the information is very much more reliable. I hope that in a year or two we will be able to get more reliable statistics concerning insanity in the United States.

15677a. Have you prepared any statistics showing the numbers of insane in Canada, or in Ontario, and comparing them with the number in any State of the Union ?—I think the proportions do not vary greatly, for any estimate I can make, but I have no figures.

15678a. Could you prepare a statement showing the number of insane in the asylums of the Province of Ontario, giving their ratio to the population, and could you give us similar information in regard to any other Province of the Dominion, or any of the States which you may chose to select ?—The most reliable sources of information we can find at present are the Dominion statistics. We have to harmonize the statements between the Dominion Bulletin and our knowledge of Ontario. I have tried that and I find the difference is so great that I can produce no statement that I could feel would be reliable.

15679a. Then I understand you to answer that you have no statistics making comparisons at the present time ?—No ; none that are so reliable that I could have any confidence in them.

15680a. Have you any sources of information from which such statement could be compiled?—Yes, there are quite a number. I could refer you to discussions in the American Journal of Insanity. That journal is the authority in New York State.

15681a. Is it an official document used by the State?—No. Then there is the difficulty that you have the population of the asylums, but you have not the insane population of the State.

15682a. We would like to exhaust the sources of information. Is there anything to be had at Washington from which you could get figures?—Nothing that I know of.

15683a. Have you seen the census returns of the United States, and the portion of them that refer to insanity throughout the United States?—I saw a statement in 1890.

15684a. Does not that give the number of insane persons in all the asylums of the various States throughout the Union, on a certain date?—I think the purport of the document was such, but I understand it was not a very reliable statement, that it had to be questioned in a great many ways. That was my impression at the time, consequently I had not confidence in it. I am sorry to say that I cannot give you the source of my information.

15685a. You have no public or official document issued from the Bureau of Statistics, or from any Government office at Washington, which will give us the information?—I have not.

15686a. You do not know of any?—I do not. The English Commission in Lunacy issued their 47th report last June in London, and it seems to be reliable.

15687a. You have a paper before you issued from the statistical office in Ottawa by Mr. Johnson?—Yes.

15688a. Turning to page 4 of that paper, you will see that the proportion of females to males in England and Wales is 118 to 100, in France, 110 to 100; in Canada it is 88 to 100. The proportion of females to males is much smaller in Canada than in either of those other countries. How do you account for that?—I cannot account for it. I should have supposed that the proportion would be the other way, and greater than in either England and France. The only conclusion I can reach is that the general condition and surroundings of the population in Canada is superior to those of the older States of Europe—I speak of the condition of the females. In the older countries there is possibly a greater difficulty in finding the means of livelihood.

15689a. Turning to page 8, there is a table which shows the number of the insane in the various provinces, leaving out Manitoba, British Columbia and the North-west Territories, to have been in 1871, 9,423; in 1891 12,664. This shows an increase of 34·4 per cent in the same time that the population has increased 25·5 per cent. I am quoting from the census office returns, which, I suppose, I should be correct in assuming includes all the insane within the boundaries of the four provinces which the enumerators have been able to trace, not only those in the asylums, but all over the country?—Certainly, this is the basis of this estimate.

15690a. Now, that shows a much larger increase in the number of the insane than in the population. Have you any remark to make upon that fact, and the causes leading to it?—I have no doubt that the chief cause is hereditary predisposition.

15691a. You think that is on the increase?—I do.

15692a. In Ontario the increase in population in 20 years has been 30·5 per cent, and the increase in the insane, 43·5 per cent. In Quebec the increase in population has been 25 per cent, and the increase in the insane, 37·8. In Nova Scotia the increase in population has been 16·1, and the increase in the insane, 9·1. In New Brunswick the increase in population has been 12·4, and the increase in the insane, exactly the same. Is there any observation you would like to make on those figures? The increase in insanity in the different provinces has been varied. Are there any local causes which account for that?—I am not of opinion that there is any specific local cause except the increased intermarriage of people with hereditary tendencies to insanity.

15693a. Do you think there is anything in the habits of the people that is leading to an increase in insanity?—Yes, I think that all the mechanical appliances, all the sciences, are developing faster living, much more active brain work, lessening the resisting power of the constitution, and the progeny of the community at large partake of

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that character, all leading up to the one issue, more distress, more anxiety, more care. I think there is a rapidly increasing degeneracy of mental power, and especially of physical power.

15694a. Does not the largest portion of the insane which go into the asylums, come from the agricultural classes?—I have no figures before me on that matter. My impression is that a *pro rata* number come from the rural districts as well as from the cities and towns.

15695a. I have been under the impression—I may be wrong—that the agricultural classes contribute the largest ratio of the insane?—I had those figures two years ago, but I have not got them now.

15696a. Have you any opinion to express about that?—My impression is that there are certain sections from which we receive a much larger number of insane than from others, but they do not seem to be rural sections.

15697a. I was leading on to this question. You have expressed the theory that insanity is increased by the more rapid way in which people are living, hastening along with railways, and rushing their business by telegraph, and so on. Now, is not that theory rather in conflict with the fact, if it is a fact, that the larger number of insane comes from a class of the community who are less affected by these influences than any other?—The impression is that among the farming community, the intense anxieties of life and the mental and physical strain, are quite as great as in cities and towns. There has been of late years rather an adverse condition in respect to the results of agricultural labour, and I presume that has had its influence.

15698a. Is there more intermarriage between natives in the country districts?—Yes, I think there is. It is an evident fact that the population is becoming more stationary, it is becoming more of a homogeneous class.

15699a. Do you think that the use of intoxicants as beverages is adding any appreciable number to the quota of the insane?—In order to inform myself on that matter I had a few figures collated here for the purpose of giving what information we have in Ontario. I have taken the admissions for ten years past, beginning in 1884. In our reports we have the returns under two different headings, the predisposing cause and the exciting cause. There has been a total of 6,116 admissions, the average of which for the ten years would be 611. I find intoxication to be a predisposing cause in four cases each year out of 611. Then the exciting cause gives a much higher average, being 16 for each year.

15700a. Then the total cases due to intemperance out of the 600 would be about 20?—Yes.

15701a. Have you figures showing other predisposing and exciting causes?—I have not got them here, but we have them in the report.

15702a. Could you make us up a similar table to this with regard to other leading causes?—I could forward you my report.

15703a. We would much prefer you to put it in the shape of a statement, giving a list of the causes for which you have returns. Now, will you describe to the Commission your method of getting this information?—The superintendent of each institution is directed to make such returns in schedule form at the close of each year, or immediately thereafter. Their books of record and their journals have all the necessary information concerning each patient. Accompanying the judge's certificate committing each patient there is a statement concerning his or her condition.

15704a. Have you not a large number in the asylum concerning whom you have no information of this character?—Yes, no specific information.

15705a. A considerable proportion of the whole?—Yes, quite a heavy percentage of the whole, concerning whom we fail to get such information in respect to their condition as is desirable.

15706a. Have you any idea what the percentage is?—I have not. It varies very much from year to year. Tramps are picked up, and people who have been possibly leading dissolute lives, and the magistrates cannot make any record of their history. Those who are admitted by certificate under what we call the ordinary process, we have a very fair record of them.

15707a. Until three years ago I think you were Inspector of Jails?—Yes, I had a number of them. The province was divided territorially, and I took the north and east, and my colleague took about an equal number. Dr. Chamberlain now holds that position.

15708a. Will you kindly refer to that return, on page 8, the report on common jails for 1892? I think the year ends in September, does it not?—Yes.

15709a. There are three years in which the numbers remaining in jail at the end of the year, are very much smaller?—Yes, in 1881-82-83.

15710a. What was the number remaining in 1880?—11,300.

15711a. What was the cause of the great decrease?—I am not aware that the precise cause was discovered, I have no statistics to show.

15712a. In the report of 1881 I think the statement was made that the figures previously were abnormal?—How that came to be case, I do not know. Was it stated in the report that they were abnormal?

15713a. I am under that impression?—I do not recollect using it. I may have said that the commitments were abnormally large in any one year, but I have no recollection of it.

15714a. Your simple answer is that you do not know of any special cause?—I do not know of any special cause.

15715a. What was the figure at the end of the three years?—In 1884 the commitments went up to 12,081 from 9,880.

15716a. As you cannot from memory give any explanation of the change that took place in those years, will you be so good as to examine into the records, and make a statement for the information of the Commission?—Yes. I may say to the Commission that this will involve a great amount of work. We will have to go over the whole to get those particulars.

15717a. We only want to know generally the causes, if there are any. If there were some great works being carried on somewhere in the province, that would affect the condition?—While works were in progress at Sault Ste Marie, we noted a much larger increase in commitments in that section, but those are local causes.

15718a. But if you examined the returns from different districts, you would find there was a great increase in one particular district or districts that would affect your total, then you get at some special cause for that particular increase or decrease. I cannot suggest any other cause for an increase, than the construction of some great public work, as a canal or a railway?—I have noticed that where there was a congested state of population, there was an increase of crime.

15719a. I want to get at the general reason for that change in totals?—I am afraid I will have to rely upon the commitments for the evidence in all cases. It would be a perfectly reliable statement, but it would involve a large amount of work.

15720a. We do not want to put you to any trouble. We must have the information if we can possibly get it. I suppose you have reports from each of the districts and each of the jails?—Yes.

15721a. You would soon be able to find out, from the return of each district or each jail, if there has been a change, then it ought not to be difficult to trace out the causes that have led to the change in that particular district?—It might not be in some cases, in others, it would be a very difficult matter.

15722a. You will be so kind as to endeavour to furnish all the information?—Certainly, I shall endeavour to furnish all the information in my power, but I think the Commission would scarcely expect that I would hazard an opinion.

15723a. No, I am asking you to take time to look into it, and to make an official communication to the Secretary of the Commission?—All right.

15724a. Now, from what department of the Government could we get a statement showing the total expenditure of the province and of the municipalities within the province, for the administration of justice, the maintenance of jails, asylums, poor houses, and charitable institutions in the province?—I think from the Treasurer's Department.

15725a. Do you think it is possible to get information as to what is paid by municipalities?—I think so. I do not know that it is compiled yet.

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15726a. From your knowledge of the manner in which the accounts of these jails and other places are kept, and the expenditure generally of the province, do you think it would be possible to make any estimate of the portion of the expenditure for the purposes I have named, which could be reasonably attributed to the liquor traffic?—I doubt very much if it is possible, from the knowledge I have. However, I am not certain.

15727a. I suppose you understand the present license system of the province?—I do to a certain extent.

15728a. Do you think it works very well?—I do.

15729a. Do you think it has had the effect of curtailing intemperance?—I do. I think that the license system and the advocacy of temperance principles have had much to do in curtailing intemperance.

15730a. Have you formed any opinion as to whether a prohibitory system, looking at the state of public sentiment as it exists, would be more effective in restraining drunkenness than the existing license system?—I have very little confidence in a prohibitive system restraining drunkenness. I think that in a democratic condition of society, such as we live in at the present, at least on this continent, unless public sentiment is very strongly in favour of a measure, it is a very difficult matter indeed to enforce it or to inflict any penalty for a transgression of it.

15731a. Do you think that a prohibitory law in its effects generally is preferable to a license system?—I would prefer the present license system rather than a limited prohibitive law covering only a certain section. I think the chief reason that the Scott Act was not more fully prohibitive was the fact that its restrictions applied only to sections, and it became unworkable from that fact. Liquor was brought in from adjoining sections which were not under the Act.

15732a. I was speaking of a prohibitory law which would apply to the whole Dominion, prohibiting the manufacture, importation and sale of intoxicants of all kinds for beverage purposes. Do you think that a law like that would be more beneficial in its results than a license system?—If it could be carried out in its entirety, I think from all the evidence before me that a prohibitory law would be better. But where a commodity is to be used for mercantile and mechanical purposes, I doubt very much if a prohibitory law would not work greater injury than benefit to the cause of temperance.

15733a. Is that because you think it would not be efficiently carried out?—Yes, because it could not be efficiently carried out.

*By Judge McDonald :*

15734a. Have you a table showing the total convictions for crime for the last decade in Ontario?—I have no such statement.

15735. Are your statements made up for convictions or commitments?—I may add that in all the insane asylums in Ontario the use of alcoholic liquors as a beverage is prohibited. In fact, they are only given out in the dispensary as any other drug would be given to patients. This practice has been carried out for the last thirty years. Stimulants are only given to patients medicinally.



FRANCIS S. SPENCE, on being duly sworn, deposed as follows :—

*By the Chairman :*

15736a. You are a resident of Toronto?—Yes.

15737a. How many years have you lived here?—Since I first lived in Toronto it would be about thirty-five years. I have been living here now about nineteen years.

15738a. Are you a native of this province?—No, sir; a native of Ireland.

15739a. Are you following any profession or business?—I am Secretary of the Dominion Alliance for the Suppression of the Liquor Traffic.

15740a. You are not engaged in any commercial business?—Not at present—not to any extent.

15741a. How long have you been Secretary of the Dominion Alliance?—I think, about eight years.

15742a. Is it a voluntary service upon your part, or do you receive remuneration for it?—The service is practically voluntary, but when there is special work to be done there is remuneration for that.

15743a. There is no salary attached to the office?—A great deal of the time it has been without any remuneration whatever—most of the time.

15744a. Do you hold any office in the Ontario Branch Alliance?—Yes, I am Secretary of the Council of the Dominion Alliance, which is the national body, and of the Ontario Branch of the Dominion Alliance, which is the provincial organization; I am secretary of both.

15745a. On terms similar?—On terms similar.

15746a. What, briefly, are the objects of the Dominion Alliance?—The total suppression of the manufacture, importation and sale of intoxicating liquors for beverage purposes. I might give you the platform, the declaration of principles, of the organization, which in a few words embodies its objects. Of course, I presume that any statements I make are not to be considered as being expressions of the opinion of the Dominion Alliance. I am not officially in that capacity before the Commission.

15747a. Then you wish us to understand that the opinions you may express here are not necessarily the opinions of the Dominion Alliance?—I am quite ready to give the opinions of the Dominion Alliance as expressed by it as far as I can, but I would not wish everything that is my opinion to be considered as that of the Dominion Alliance.

15748a. What officer connected with the Alliance could we summon before us who would be able to speak for the Alliance?—I presume I can speak for the Alliance as well as any other person could.

15749a. Has the Alliance at any time prepared a Bill embodying the legislation which it desired to see enacted?—The Alliance did not prepare a Bill. I prepared a Bill. I put in a copy of it.

15750a. This Bill was based on your own ideas, then?—The history of it would, I suppose, give you the answer. At a meeting held in Toronto in connection with a meeting of the Dominion Alliance, it was suggested that it would be very much better to have our claims presented to Parliament in the form of a Bill than by a resolution as before. A committee was appointed to draft a Bill. I was a member of the committee and I drew up the Bill and brought it to the meeting of the Alliance. The meeting asked me to embody in a resolution the principles, if I may so express them, on which the Bill was framed. I did so, and the resolution was adopted by the Alliance. The details of the Bill were not examined by that body. The resolution adopted by the Alliance, setting out the principles upon which legislation was proposed, and which are worked out in the Bill, is as follows :—

“ That in order to have the question of total prohibition placed fairly before the country in a definite shape, and to secure a direct vote in Parliament on the same, a Bill be at once introduced into the House of Commons framed on the following general lines :—

“(a.) The total prohibition of the manufacture, importation and sale of intoxicating liquor except for sacramental, medicinal and scientific purposes.

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"(b.) The enforcement of the law and the manufacture, importation and sale of liquor to be by the Dominion Government through specially appointed officers.

"(c.) Penalties for violation of any provision of the law to be sufficiently severe and methods of legal procedure against offenders to be sufficiently simple and effective to secure complete enforcement.

"(d.) Profits upon the sale of liquor and all money penalties imposed, to be devoted to paying the expenses of enforcing the law."

15751a. I am well aware that you are in favour of the passage of a prohibitory measure, and I will not therefore put a number of questions I would otherwise have put to you. Under the head of "Prohibition," clause 44 of this Bill says: "From the day on which this Act comes into force and takes effect, no person, unless as hereinbefore provided, shall, in any part of the Dominion of Canada, by himself, his clerk, servant or agent, import, manufacture, expose or keep for sale, or directly or indirectly, upon any pretense or by any device, sell or barter, or, in consideration of the purchase of any other property, give to any other person, any spirituous or other intoxicating liquor, or any mixed liquor capable of being used as a beverage, any part of which is spirituous or otherwise intoxicating." It says, "expose or keep for sale," does that cover liquor which might be found in the possession of a private person?—If exposed or kept for sale.

15752a. Suppose it were found in his own house and kept ostensibly for his own use?—I do not think that clause as worded would cover the possession of liquor except for sale.

15753a. Was it your intention, as this is your bill, to prohibit the importation or manufacture for private use?—Certainly.

15754a. Everything?—Everything except as herein provided.

15755a. Then you would ask for legislation which would entirely prevent importation or manufacture for any purpose except for medicinal, mechanical and sacramental purposes?—Prohibit all but that—either importation, manufacture or sale. I may say that I consider the evils resulting from the liquor traffic as so vast that I think it would be well worth the community taking the trouble and making the sacrifice necessary to secure the most effective kind of legislation that could be devised.

15756a. Do you know of any other country in which a law of total prohibition has been in force?—I do not think there is any country in which a prohibitory law of such a character is in operation.

15757a. Looking for past experience to guide us, I ask whether you know of any country having any experience of a law as stringent as that which you have suggested?—In answer to that, I would like to say, of course not at all wanting to make any definition of a country, that I know of no country that has a prohibitory law of any kind.

15758a. Take any State of the Union or a province?—I think the people in certain States have enacted laws going as far in that direction as they have power to go; but no State, as I understand, would have power to enact such a law as is proposed here.

15759a. Then you answer that in the United States the States have no power to enact such a law, and therefore there is no such a law?—That, in my opinion, is the reason.

15760a. Do you know of any province or colony where such a law has been in force?—I do not; I have no personal acquaintance with any.

15761a. Do you think such a law would at the present time receive the support of the community throughout the Dominion?—Not the universal support of the public; but I am inclined to think—of course it is merely a matter of opinion—that such a law would have the strong support of an immense majority of the citizens of the Dominion.

15762a. You mean, of course, the citizens entitled to vote?—If we take the citizens not entitled to vote, I think the majority would be very much more immense.

15763a. You think of the citizens entitled to vote there would be a very large majority in favour of a measure of this kind?—Yes, and outside of those the other citizens would be pretty nearly unanimous.

15764a. Are you prepared to put any facts before us which would support that view?—The facts that would, I suppose, most likely be considered to have a bearing upon it would be the immense votes that have been polled in favour of prohibitory

measures wherever they have been submitted to the people. I might instance the fact that the liquor traffic is delegalized in the whole of Nova Scotia outside of two counties, that the same condition prevails over a large extent of New Brunswick, over most of Prince Edward Island, and over nearly 400 municipalities of Quebec; the great vote that was taken in Manitoba; and the fact that nearly four-fifths of that province has prohibition; also the votes in favour of the Scott Act in the Province of Ontario and later in favour of local option. Wherever the question of prohibition has been submitted to the people, the majorities have been such as to indicate the condition of affairs I have expressed.

15765a. Do you look upon local option as a similar measure to that which you propose?—I look upon it as an effort of the people to obtain as much of prohibition as they possibly can.

15766a. And you infer from that that they would support this measure?—In conversation with the people who are in favour of local option measures in the different parts of the province, I have almost invariably found them more strongly in favour of a more comprehensive law, and in fact have often met people who said that they would not support local option measures on account of their partial character, but would support the larger measure of national prohibition.

15767a. One of the exceptions in Nova Scotia to which you refer is Halifax, where we are told there is a very free sale of liquor?—Very free.

15768a. And sale in the County of Halifax also?—I have no personal knowledge of the county.

15769a. The fact has been given in evidence that licenses are issued, not many, however?—There are, I believe, two licenses in the County of Halifax outside of the city.

15770a. That would indicate that there is some sale there?—Some sale.

15771a. Are there no other parts of the province in which there is sale at present?—Not legalized sale, I think, outside of the two counties of Richmond and Halifax.

15772a. What is the character of the law in Nova Scotia under which you say the traffic is delegalized over so much territory?—I think there are about nine counties under Scott Act and about seven counties in which the provincial license law operates to secure prohibition. That license law prohibits the issue of a license unless a petition signed by a large proportion of the electors is presented in favour of the issue of it, and no one has been able to get a petition largely enough signed to secure a license.

15773a. Do you call that delegalization if it is optional with the people to allow the sale or not?—I think it is optional, but the law is such as to prevent selling. That I would call delegalization.

15774a. But if they comply with the conditions they can sell?—But the conditions are such as it is impossible for them to comply with.

15775a. But the law does not prohibit selling in the case of those who comply with the conditions?—The law prohibits it except on certain conditions that are impossible; therefore the law practically and absolutely prohibits, and it is total delegalization of the sale of liquor in those places.

15776a. Coming to New Brunswick, you included that province among those in which the sale was almost delegalized?—In that province there are, I think, fourteen counties and two cities.

What are the exceptions in that province?—I could not from memory give you the counties.

15777a. Then take Prince Edward Island; did you include that?—Yes; Prince Edward Island has the Scott Act in every part except the city of Charlottetown. In that city there is neither Scott Act nor license, but simply a police regulation imposing heavy restrictions on the liquor traffic.

15778a. And free sale?—Sale by any person who chooses to comply with the restrictions of the law.

15779a. And the population of these three provinces is what?—The census returns are not in my hands.

15780a. Between 800,000 and 900,000?—Something like that.

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15781-2a. Then, coming to the Province of Quebec, you spoke of a certain number of parishes having adopted local option by-laws. What is the character of that local option?—There are two counties under the Scott Act, one of them, I suppose, the largest county of the province, covering a large part of the province; a third county has the Dunkin Act; and the remainder of the prohibitive counties are under local option by-laws, enacted I believe by the parish councils. I do not remember the number of the parishes; I think in the neighbourhood of 300.

15783a. Do you know anything of their area?—I have no information as to that.

15784a. What is the character of that local option? Is there any difficulty on the part of those who desire to get liquor for beverage purposes securing it?—A great deal of difficulty, I think, in many places.

15785a. What are the difficulties?—The difficulty of it not being sold. As I am informed, no sale is allowed except on the certificate of a clergyman or a medical man, and to certain people the securing of one of those certificates is I believe a matter of a good deal of difficulty.

15786a. Is there any difficulty in the way of people getting liquor from outside of their municipality or parish?—No difficulty that the law imposes beyond the inconvenience of going after it.

15787a. Does the population of those parishes form any considerable proportion of the population of the Province of Quebec?—I have already said that I have no idea of it, but I would presume that 300 parishes would include a good deal.

15788a. Do you think the people of the Province of Quebec would vote for a prohibitive measure, I mean such a measure as you yourself suggested in this bill?—My knowledge of Quebec province and population is very limited, and my confidence in their favour for prohibition is not quite as strong as it is with reference to other portions of the Dominion with which I am well acquainted.

15789a. Do you think a general prohibitory law of the character you have indicated, could be efficiently enforced if in the Province of Quebec there was a majority against it?—Do you mean efficiently enforced throughout the Province of Quebec?

15790a. No, throughout the Dominion?—If efficiently enforced means absolutely enforced, so that there would be no infractions of it, I would have to say no. But if efficient enforcement means so as to secure the object of the law, I would say yes, decidedly, meaning by the object of the law the diminution of the evils of intemperance.

15791a. What do you think is the feeling in British Columbia on the subject of prohibition?—As in other parts of the Dominion, the people are divided. I do not think, though I may be mistaken, that there is as strong a sentiment there as in other places. I think probably the provinces you have mentioned, Quebec and British Columbia, would be likely to be weak on the subject of prohibition; but I would like to have further information before speaking positively on that question.

15792a. You are not confident, then, that you would have a majority in those provinces for prohibition?—I am not confident. I think the vote in the other provinces would far more than counterbalance the adverse sentiment there.

15793a. Do you think a vote of the people on the subject of prohibition is a safe gauge of public sentiment on the subject?—It is the safest gauge I can think of.

15794a. So far has it resulted in anything in Manitoba?—Yes, it has resulted in inquiry in Manitoba and here by the authorities as to the extent of their power. It has resulted in a demand or memorializing of the Dominion Parliament by the Legislature of Manitoba for a prohibitory law for that province, a declaration by the Legislature in favour of it, and action taken to secure a definition of jurisdiction, and will, we hope, result in the enactment of a prohibitory law for that province, as far as the courts will warrant the Legislature of Manitoba in prohibiting the liquor traffic—all that it would be possible under any circumstances for such a vote to accomplish.

15795a. Do you think we should have much smuggling under such a prohibitory system as you speak of?—Well, we have a good deal of smuggling under the license system, and I would suppose that as long as doing wrong is profitable pecuniarily, you will find men desirous of doing wrong. I think there would likely be smuggling.

15796a. Do you think the law would be difficult of enforcement for some time?—Well, I suppose one's ideas about what is difficult of enforcement might be different from another's. I think all law is difficult of enforcement, and this law would be even more difficult of enforcement than most laws. There would be difficulties, but I do not think insurmountable ones.

15797a. Then, if I may summarize what you have told us, we practically have no experience to guide us as to the effect and the operation of such a law as you propose—I mean so severely prohibitive as your law would be?—I would rather have a summary of what I have said not put so much in that form. I think we have this experience, that the more rigid legislation dealing with the liquor traffic has been made, the more effective it has become; and the natural, inevitable inference is that a law like this would secure better results than any other legislation that has been attempted.

15798. If you did not say in answer to my question that we had no such experience, I wish you to put me right; I understood you to say that?—I certainly said that

15799a. Now I wish to ask you with reference to prohibitive laws generally, what the effect of them has been where they have been in force, so far as you know?—Where they have been enforced the results have been very good, so far as I have been able to learn.

15800a. Will you refer to some particular place, and if there has not been efficient enforcement, and if the results have not been satisfactory, will you kindly tell us what in your opinion has been the reason?—I suppose that perhaps as good an example of an extreme or rigid prohibitory law as might be given would be that of the State of Kansas. I think the State of Kansas has afforded evidence of the effectiveness of a well-enforced prohibitory law. I had the privilege of being in that State not long ago, stopping at a few points. In some places where the official sentiment was not in harmony with the law, it was very openly violated; but in cities such as Topeka, where public sentiment was in favour of the law, I witnessed a more thorough enforcement of prohibition, a more complete working out of that system, than I ever expected to see in my most sanguine expectations of prohibitory legislation.

15801a. How long has the prohibitory law been in force in Kansas?—I think in the neighbourhood of ten years.

15802a. And what results do you attribute to it—I mean results which point to its efficiency?—The absence of the open sale of liquor and the absence of other marked evils that follow the sale of liquor, such as the social evil and disorder. I was surprised, as I suppose everybody was, to notice some time ago, when there was a serious political squabble there, and the temper of the people of the State, and especially of the city of Topeka was roused to an extraordinary degree, that the people passed through that crisis, in which practically armed forces confronted each other, without any breach of the peace or disturbance of any kind, something for which I do not think a parallel is to be found in history.

15803a. And that you attribute to the prohibitory law?—Persons who have witnessed the whole scene have stated that they believed that if there had been open liquor shops there, riots would have been precipitated and there would have been bloodshed.

15804a. Do you adopt that opinion?—I have every reason to believe that is a safe conclusion.

15805a. Is there anything else which you would like to point out as indicating the success of the law in Kansas?—When I was in Topeka I made it my business to call on police officials and others and to make careful inquiry as to who were the opponents of the law. I went to see the gentleman named Tomlinson, who has been known, I think, for the last ten years as the champion of the opponents of prohibition in Kansas. He is an editor and a leader among the Democratic people who opposed the law. I asked him about it, and he informed me candidly that while he did not sympathize with the law or consider that it was the right way to govern people, yet he had to admit, as everybody else did, the efficiency of the law, and he said, "my advocacy of the other side of the question is ended." I was only there a couple of days, but I remarked the place as being exceedingly sober and free from vice of every kind.

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15806a. Have you examined the statistics of the State?—I have no statistics at my hand, but I have seen statistics from time to time which made a remarkably favourable showing for Kansas compared with other States.

15807a. But you have no statistics that you could put before us?—I have none here. I can easily obtain such statistics.

15808a. Have you any statistics showing the increase in the church membership in Kansas or the increase in attendance of children at the schools?—I believe there are such statistics published, but I have not them with me to-day. But I will be happy, if you wish, to forward any such papers as I can secure.

15809a. We shall be very glad to have them. Do you know if there are a very large number of divorces granted in Kansas?—I have no knowledge of that.

15810a. Then you do not know whether a large number of them were granted on the score of intemperance?—Oh, no.

15811a. Would you quote some other community in which prohibition has prevailed?—I have talked with persons who have come from the State of Dakota, who assured me that the conditions there were very similar. The evidence I had of every person who has made the examination goes to show that outside of the large centres of population in the State of Iowa the prohibitory law has been remarkably effective, and that the liquor traffic in the rural parts of the State is small.

15812a. What is it in the large centres?—It varies according to the matter I spoke of a little while ago—the effort that is made to enforce the law.

15813a. You have no statistics to put before us as to the State of Dakota any more than as to the State of Kansas?—No, I have no such statistics with me.

15814a. Will you refer to any other State?—Statistics, I believe, show similar results in the State of Massachusetts and in the State of Connecticut where the change has taken place in a great many places from license to prohibition and the reverse. These statistics are readily available; they have been before the public a long time and I think not contradicted.

15815a. What is the position of matters in Massachusetts to-day?—License and no license or local option.

15816a. High license, is it not?—Yes, pretty high, I believe.

15817a. They had at one time prohibition in Massachusetts?—They had a prohibitory law in the State at one time, which was weakened by the permission for the sale of malt liquors. That was changed for local option.

15818a. Have you any statistics showing the crime in the two periods, under prohibition and under license with local option?—I may say generally that I have no statistics with me to-day relating to any part of the United States.

15819a. But you point to Massachusetts and Connecticut as States in which prohibition has worked improvement?—There are a great many cities and towns in Massachusetts which show fluctuations in crime—an increase under prohibition, and these fluctuations correspond with the changes in the cities and towns from one condition to the other.

15820a. Then, do I interpret your answer correctly, that you point to those two States in which the prohibitive system has worked improvement?—Yes.

15821a. I suppose the prohibitive law originated in the State of Maine, and that it has been longer in force there than in any other self-governing community; am I correct in that?—I believe so, and I think the evidence there is absolutely overwhelming and the demonstration of the effectiveness of prohibition there is absolutely complete in the fact the State of Maine has had experience of a prohibitory law for the length of time you say.

15822a. Forty years?—Fully that time. During that time it has had visits from us outsiders, who of course could only get an idea of what was going on during one day or two days or one year or two years, and an imperfect idea of what the state of things is in different parts of the State. But the people of the State as a whole, who have had the experience of all these years, when the question was submitted to them, in the desire to keep their State as free as possible from the evils of intemperance, declared on a non-partizan vote in favour of a prohibitory amendment to their constitution by the

most overwhelming vote the State has ever recorded, I suppose, on any question. I look on that as a proof that the people of Maine as a whole enthusiastically endorse prohibition.

15823a. Do you remember the number of those who voted? I was under the impression that it was smaller than the vote in the ordinary political contests of the State?—I said the largest majority. I had no knowledge whether the vote was larger or smaller than the political vote.

15824a. The majority was 47,000?—Something like that.

15825a. You have given expression to a very strong endorsement of the prohibitive system in the State of Maine. Will you kindly state what evidences have come under your notice which lead to the conclusion you express?—I was misunderstood if you thought I was giving a strong endorsement to the prohibitive system of the State of Maine. What I said was that the evidence given by the vote of the people assured me that they were convinced that prohibition was a good thing for the State. I would not like to be understood as approving of their particular law, but merely as calling attention to their endorsement of the principle embodied in the law.

15826a. Have you had any experience as to the manner in which the law has operated in the State of Maine?—Very little. I have been through the State of Maine hurriedly several times. I have stopped off for brief periods at different places, and I have seen that the sale of liquor was not open or public, as it is in other places where it is licensed.

15827a. Do you think the law has been effective in the cities of the State?—From the information of people who are well informed, I would say yes.

15828a. Of your own knowledge?—I have made no personal investigation of that, having had no opportunity. I was across at the city of Calais when the Commission was at St. Stephen in New Brunswick, and I was struck by the entire absence of drunkenness or any marks of it; and I noticed in Portland, where one would expect to see drinking, that there was not drinking.

15829a. It has sometimes been said that there has been a lack of effort in the State of Maine to give effect to the law?—I have heard and read of a good many cases in which the enforcement was so lax that the sale of liquor has been very free, and at other times when it was rigid the sale has been less.

15830a. You would expect, seeing that the law has been in force for forty years, that it was now being efficiently enforced?—I would not take the length of time that it has been in force, as any special reason why it should be very much more effective. I would think the enforcement depended largely on the sentiment of the community and on the purpose of the officials who were elected by those people to enforce the law.

15831a. Then do you not hold the view that has been expressed by many witnesses who have been before us, that the law is an educator?—Oh, decidedly.

15832a. Then should it not have been educating the people of the State of Maine, having been in force forty years?—I think it has educated them. I think their 47,000 majority is an evidence.

15833a. I am speaking with regard to the enforcement of the law?—Yes, I think it has been an educator in two directions. I think a large class of the community has been educated in opposition to the liquor traffic and a desire to have it suppressed, and a large section, the criminal class, that wish to break law, have had a long education in plans and methods of evading it, and some of them have, doubtless, in forty years become so efficient that they do it too effectively.

15834a. The law could hardly be an educator, then, from your standpoint?—The law has been an educator of public opinion.

15835a. But not of those who break the law?—There is hardly anything that is planned and calculated to have a good result that, if abused does not have an evil result; and I think the prohibitory law could be so misused by persons who wish to defy it as to produce in them very evil results.

15836a. If the law has been an educator, would you not conclude that it would be all the time making progress, and that after such a long experience of it, you might reasonably expect that it would now be efficiently enforced?—From the evidence I

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referred to a little while ago, I would infer that the law now is efficiently enforced, meaning by efficiently so as to accomplish a great deal of the results that its promoters desire.

15837a. I think you said that you have no statistics to give us as to the state of crime or as to the quantity of liquor consumed in the State of Maine. Have you anything with you that you can lay before the Commission?—I can say that imagining that I would be questioned more in reference to the place of which I have knowledge, I did not bring with me a good many documents of that character.

15838a. You are quite familiar with the terms of the Commission?—Yes.

15839a. The Commissioners are instructed to inquire into the results of prohibition where it has been put in force, and it therefore becomes important for us to get information about places where a prohibitive system has been tried. If you tell me that you really have no information as to the results, which can be got at in official records, I will not question you any further in that direction?—I would be very sorry to be understood as making any such statement. The statement I made was this, that not being more than a second-hand custodian of any such statistics as are available, and not imagining that the Commission would ask me to produce them, I have not brought such with me. I have a great many books and documents at home containing such statistics.

15840a. But you are not prepared to give them to-day?—I would be prepared to give them if the Commission would give me time.

15841a. Would you prefer to be examined at another time?—No.

15842a. If you have any information of that kind, the Commission will be only too glad to be furnished with it?—I may say that I have here, what I happened to pick up, the inaugural address of Joseph R. Bodwell, one of the Governors of the State of Maine, which contains that gentleman's opinion of the prohibitory law.

15843a. We have that and nearly all the inaugural addresses of the Governors of the State of Maine; but if you have any statistics with regard to the results of the prohibitory law in Maine, we should be very glad to have them?—I have no doubt that I can furnish the Commission with such statistics which will bear out what I have expressed.

15844a. You cannot be surprised at being questioned on that subject when the father of the Maine liquor law, and I suppose its very strongest advocate, has been constantly referring to these matters as evidences of the efficacy of the law. Does the Dominion Alliance publish any newspaper?—It does not.

15845a. Is this paper, of which you have given me a copy, the "Canada Citizen," still published?—Yes.

15846a. But it has no connection with the Dominion Alliance?—It has no relationship to the Dominion Alliance. I am not connected with the paper now.

*By Judge McDonald:*

15847a. How long have you been Secretary of the Dominion Alliance?—I think I said about eight years.

15848a. You were Secretary, then, in the month of June last?—Yes.

15849a. I find, on reference to the *Toronto Mail* of Thursday, the 22nd of June last, that you are reported to have said this: "The Dominion Alliance had never endorsed that fraud and farce, the Prohibition Commission," and I would ask you, if you are correctly reported there, whether you spoke for yourself or by authority of the Alliance?—May I ask what that is in reference to?

15850a. It is a report of a speech made at Ottawa in connection with some gathering or assembly?—Can you tell me what the gathering was?

15851a. It is called in this paper, "Liberal Convention." Speaking on that occasion were you speaking for the Dominion Alliance or for yourself?—Speaking on that occasion I was speaking for myself.

15852a. In saying, then, that "The Dominion Alliance had never endorsed that fraud and farce the Prohibition Commission," should you have said that the Dominion Alliance had never, or that you had never endorsed it?—You are assuming, of course, that you are reading a correct report.



15853a. If it is incorrect, I am quite open to correction?—It is incorrect. I had better answer your question to remove any misapprehension, and in doing so I think it is fair that I should make an explanation in reference to the facts of the case. The Dominion Alliance has been promoting in the House of Commons for a great many years a resolution in favour of prohibition. In the session of Parliament in 1891, the Commission resolution was adopted. We had as usual before the House a resolution in favour of prohibition. A number of amendments were offered to that resolution, among them being one moved by the Hon. Finance Minister, substituting for our prohibitory resolution a motion in favour of the appointment of a Royal Commission to inquire into the working of the liquor traffic. That resolution, which the temperance people believed was moved in the House of Commons for the purpose of ridding that body of the inconvenience of being compelled to consider the prohibition resolution, was carried. We unhesitatingly denounced, as I think all temperance people did, that method of evading the issue that was being placed before the House; and we considered the appointment of the Commission as a farce, being farcical in that the original plan was not to obtain information so much as to evade the direct issue of prohibition. When this matter came up at our different Alliance meetings subsequently, we took the same ground, that the appointment of the Royal Commission was farcical. I believe I used the term "farce" myself. It was used before the Royal Commission was appointed. It certainly could not have reference to any person or to the personnel of the Commission, but to the action of the Parliament at Ottawa. At the convention to which you refer the Hon. Mr. Laurier spoke on the prohibition question, and he stated—I have no doubt he had been misinformed—that the Dominion Alliance had passed a resolution, or had in some way declared that they would postpone taking any action awaiting the report of the Royal Commission; and he led the convention to suppose that the Alliance had endorsed the appointment of the Commission. As respectfully as I could I corrected the statement; I said that the Alliance had never endorsed the farce of appointing that Commission. My statement was correct; we never endorsed the appointment of the Royal Commission; but I never uttered a syllable that could be at all derogatory to the Royal Commission or any of the gentlemen who constitute it, and I would be very sorry if anything I said should be considered a reflection on any of the gentlemen who make up that body.

15854a. I did not intend by my question to imply that you had made any reflection upon any individual members of the Commission. What I understand you now to say, is, that what you meant to say was that the Dominion Alliance and those who, acted with them looked upon the appointment of a Commission as a farcical thing. Am I misquoting you in that?—No. May I correct my answer?—It may look like being very precise, but I think you have slightly misquoted me. I did not say that the appointment of the Commission was a farce. What I said was that the evading of a vote on the direct issue in the House of Commons by the appointment of a Royal Commission, instead of manfully facing the question, was a farcical proceeding on the part of the House of Commons.

15855a. Now I will ask you whether the *Mail's* report is correct as to the words you used?—It is not correct, to the best of my recollection.

15856a. I find that the *Globe* of the same date reports you as having said: "The Dominion Alliance had never endorsed that farce the Prohibition Commission"?—I think that is very likely to be the correct report.

15857a. You did not use the word "fraud"?—There is a great deal of difference between the word "farce" and the word "fraud": but I think I have made clear the reason why I made the statement.

15858a. May I ask whether within a few weeks of making that statement you had returned from a trip to the State of Iowa in connection with the Prohibition Commission?—I was in Iowa in May.

15859a. And also in the State of Minnesota?—Yes.

15860a. Were you in the State of Dakota during that time?—No, I did not visit Dakota.

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15861a. You have spoken of the state of sentiment in Dakota. Do you know whether in South Dakota there exists a system such as you have no doubt noticed in some of the other prohibition States, of towns and cities giving quasi licenses to the people in the liquor traffic, that is, allowing them to pay a monthly fine, and so long as they do that not prosecuting them?—I have no personal knowledge that that is done in Dakota.

15862a. I understand you to say, in answer to the Chairman, that in Nova Scotia, except in two counties and the city of Halifax, the liquor traffic was delegalized?—Outside of these two counties, I believe there are no licenses issued in the province.

15863a. I think you used the term "delegalized."—The term "delegalized" means having the authority of law taken away from it.

15864a. In several counties is there not in force the license law of the Province of Nova Scotia in which under certain conditions licenses may be granted?—Under certain conditions which do not exist.

15865a. Under which certain conditions licenses may be granted?—No, because there are no conditions under which licenses can be granted.

15866a. I understand that on a certain number of persons signing a petition a license is granted?—If the petitions were available, licenses I believe would be granted.

15867a. In the Province of Ontario, in certain sections, do not signatures have to be got to petitions for licenses?—Yes.

15868a. In such cases you would not say that the traffic was delegalized, but that such restrictions were thrown about it that licenses were not granted?—What I meant was that there was no legalized liquor traffic.

15869a. In the County of Yarmouth, for instance, no matter how many people signed a petition a license could not be granted, because there the traffic is delegalized?—Because the Scott Act is in force.

15870a. But in the County of Colchester if a sufficient number of people signed a petition a license would be granted?—Then the granting of the license would be legal; but in the meantime the license is not granted, and the traffic is delegalized by the conditions.

15871a. Then, in Ontario, in the same way, in some places the traffic is delegalized where the petition cannot be secured?—The traffic is delegalized in a large part of Ontario. Wherever the petitions cannot be obtained, the traffic is delegalized; that is what I meant by delegalizing the traffic.

15872a. Were you in Nova Scotia at all last year?—I was.

15873a. Were you at Truro?—I was.

15874a. That is a place where there is no license granted?—Yes.

15875a. Is it illegal there for hotels to furnish liquor?—Yes.

15876a. Did you yourself see liquor furnished at hotel tables?—I did not. Let me say that I saw liquor furnished on two or three occasions when I was down there in company with the Commission; it was to a very small extent.

15877a. I ask you did you see liquor furnished at a hotel table at Truro?—No, I have no recollection of seeing liquor at any hotel in Truro.

15878a. Are you quite sure. Do you remember what hotel you stopped at?—Yes, I could not give the name. I had the honour of stopping at the same hotel as yourself.

15879a. And you do not remember seeing guests at that hotel who were not Commissioners furnished with liquor at the hotel table?—In the Province of Nova Scotia, I did see liquor furnished in prohibited territory. I could not say now whether I saw liquor furnished at that hotel of which you speak or not.

15880a. Did you see it at New Glasgow?—I did at New Glasgow, but under circumstances which I think it is fair to put in the evidence. The fact is, I saw no liquor furnished outside of the party there connected with the Royal Commission, and I am of opinion that if the Commission had not been present, there would have been no liquor furnished.

15881a. On what do you base that opinion?—On the fact that I saw no liquor furnished outside of the party in the dining-room accompanying the Royal Commission.

15882a. Did you see liquor furnished elsewhere in Nova Scotia?—Only with the qualification I mention.

15883a. Did you see any in North Sidney in the County of Cape Breton?—In company with yourself, walking through the streets of that town, I saw bottles in a window that looked very suspicious; but being both total abstainers we did not make any investigations. I imagine, from some things I saw, that there was liquor sold.

15884a. That is a county in which the traffic is delegalized?—Yes.

15885a. Did you pass through a place called Kentville in the County of Kings in Nova Scotia, where there is a refreshment station?—Yes.

15886a. Did you see liquor on sale at the refreshment table?—Not outside the party I mention.

15887a. Did you not see a bar there?—No. I was invited by a gentleman to come in and look at this, and going in I saw two gentlemen partaking of liquor that was served from under the counter. I think the liquor was intoxicating.

15888a. And a curtain partly drawn?—Yes. A gentleman invited me to go behind the curtain and see, and I went behind and saw.

15889a. Did you visit Yarmouth?—Yes.

15890a. Did you see any intoxicated people at Yarmouth?—I could not say positively. If I did it was certainly outside of the party I have spoken of.

15891a. Coming to New Brunswick, did you visit the city of Moncton?—Yes.

15892a. That is under the Scott Act?—Yes. If I saw anybody under the influence of liquor at Yarmouth it would not have made any permanent impression on me, for from what I heard and saw I think there was plenty of liquor there.

15893a. Did you see at Moncton places where liquor was for sale? Did you see a bar-room in the hotel at which you were stopping, with liquor exposed for sale?—I think I did not accompany the investigating party at that place.

15894a. A bar-room exposed to the street?—Yes, I remember now, attached to the hotel. I did see a place where liquor was sold.

15895a. Did you see such places on the main street of the town, almost opposite the hotel?—Not about the hotel. I heard of places where liquor was to be seen. I may say—I suppose it is fair to the people of Moncton—that, conversing with a great many of them and moving about the place, I came to the conclusion that there was far less liquor sold there than if there had been a license law.

15896a. You visited Prince Edward Island?—Yes.

15897a. Did you visit Summerside?—Yes.

15898a. The traffic is delegalized in Summerside?—It is.

15899a. Did you see there any places where liquor was exposed for sale?—I saw no place in Summerside where liquor was exposed for sale except in the place of the licensed vendor who was authorized by the Scott Act to keep it for sale.

15900a. That was the only place you saw?—That was the only place where I saw liquor for sale.

15901a. In case of the enactment of a prohibitory law such as you desire, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—No, decidedly not. Of course, if there were reasons given, I would be in favour of remuneration.

*By the Chairman :*

15902a. What would you do with their large stocks of spirits on hand?—I presume that a great deal of the liquor manufactured in this country is manufactured for exportation, and the law we propose does not interfere with exportation. It would shut down simply on the manufacture and importation.

15903a. What proportion of the liquor manufactured in Canada is exported at the present time?—I could not say.

15904a. Is it any considerable quantity?—I am inclined to think there is.

15905a. Do you think it is 5 per cent?—I notice that last year there was manufactured I think nearly a million gallons more than was consumed.

15906a. That would be what was kept in stock under the two-years provision?—I did not examine into that. But I am under the impression there is a quantity exported.

15907a. Do you think it is 5 per cent?—I could not say.

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15908a. We were told yesterday of one establishment that had, I think, 2,600,000 gallons in stock ; is there a demand abroad which would absorb such a quantity as that?—The Inland Revenue returns show the amount warehoused, so that the figures are obtainable.

15909. The export is a very small part of the present production ; and what I wanted to know was what you would propose should be done with the spirits required to be kept on hand under the present legal regulation?—In answer to that, I would say that while I would fondly hope, I would not expect, a prohibitory law to come into force to-morrow ; I would be thankful if we could get a prohibitory law in two or three years, or absolutely certain in four years ; and with the evident state of public opinion before them now, if any distillers between now and the time of the coming into force of a prohibitory law choose to manufacture and store away liquor, it is their lookout what they do with it, and I would not trouble my mind about it.

15910a. Would you give them time to dispose of their stock?—That is not what I said. I certainly think that if they exercise good judgment, seeing the present trend of public opinion, they would not be caught at the time of the coming into force of a prohibitory law with a large stock of liquor on hand.

15911a. Then, would you permit them to sell out?—No, that is not what I say. The answer I intended was that when the prohibitory law comes into force the distillers and brewers ought to have judgment enough not to have a stock on hand.

15912a. Your idea is that, you could not have a prohibitory law before two years?—I would put it into operation to-morrow if I could, but it is manifest that I cannot.

15913a. Suppose you could get it into force to-morrow, what would you do with the stock of liquor on hand?—That is a hypothetical case which is not likely to occur ; but I would say this : these men during the past two years have had sufficient notice of the growth of public sentiment to warn them against being caught in that way, and it is their lookout to see that they do not get caught. I would in the legislation enacted make no reference whatever to what you speak of.

15914a. Do you think they would be able to export such a quantity?—I did answer that. I am not posted in reference to the matter of exportation. Perhaps the manufacturers do not export because exportation is not so profitable, and on account of the home consumption it is not necessary. I suppose that if they were left with stocks on hand they could export them. Perhaps there would not be so much money in exportation then as there is in home consumption now, but they could export them. They might have to do so at a sacrifice. It is not our business to make provision for their lack of judgment in not looking out for what is ahead of them.

*By Rev. Dr. McLeod :*

15915a. Speaking of this matter of compensation, it is sometimes suggested that a sort of compensation given in connection with the abolition of slavery furnishes a parallel. Do you think so?—In regard to that matter, as I understand it, there was no compensation provided for in the Emancipation Act, but a grant was voted some time subsequent to relieve planters who suffered from emancipation. But even taking the ground of your question, the British Government destroyed the property of the slave-owners by emancipating their slaves. The liquor traffic is at present legal. If the Government were to seize and destroy all the liquor in the possession of the liquor manufacturers, they ought certainly to compensate them now for the liquor they seize and destroy in that way. At the time of the Emancipation Act there was a slave trade going on ; there were vessels fitted up for carrying slaves ; there were markets and pens and auction blocks ; and no one ever mooted compensation for the slave traders when their business was swept away. The only compensation Britain ever offered them was the compensation of shot and shell wherever she met them. I would treat the liquor manufacturers' plant exactly as the slave dealers' plant was treated. The slave owners' compensation bears no analogy whatever to a claim for compensation to liquor manufacturers for machinery and plant.

15916a. Have you any objection to putting a copy of that bill in as an appendix to your evidence?—I would like to put it in as part of my evidence.

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*By the Chairman :*

15917a. Was the bill ever before Parliament?—No; it was not introduced.

*By Judge McDonald :*

15918a. Is this bill as framed an expression of your own individual sentiments?—The details of the bill and the plans of working it out are based largely upon the very wisely planned Dominion License Act, which was known as the McCarthy Act.

*By Rev. Dr. McLeod :*

15919a. Have you any knowledge of the working of the Scott Act?—Yes, a little.

15920a. Were there any defects in the Scott Act, and, if so, what, in your view, were those defects?—That is a pretty broad ground to cover. The Act from its very inception was defective. The plan of the Act was defective. It was not the kind of measure the temperance people asked for, in the first place, but was preferred as a compromise—a good deal less than we wanted.

15921a. What was asked for at that time?—The total prohibition of the manufacture, importation and sale of intoxicating liquor for beverage purposes. A majority of the Dominion Parliament said that was right, but expressed the opinion that the country was not ready for that yet; and then the Scott Act was brought in. It was defective in plan, not being a general law, not being total prohibition but partial prohibition, and not having in it a great many of the provisions we wanted to have to secure its more effective enforcement.

15922a. What about its enforcing machinery?—At the start it practically had no enforcing machinery. The Act provided that prosecutions could be brought by any person, but made it the special duty of the Collector of Inland Revenue to bring prosecutions. The Collector of Inland Revenue, as a rule, has office duties to perform, and a large district of country to supervise, and I have never known, in all the Scott Act history, of a single prosecution being brought by the official prosecutor appointed by the Act.

15923a. But machinery was provided later, was it not?—About the time the Scott Act was brought into force in the Province of Ontario there was provided far too much machinery. His Honour Judge McDonald will remember that at that time there was enacted the McCarthy Bill, which was also in operation at the time the Scott Act came into operation in Ontario. The result was that the Dominion Government had commissioners and inspectors to enforce the liquor laws, and the Ontario Government had Commissioners and an Inspector for the same purpose; so that we had double sets of machinery, the Ontario Government never admitting the right of the Dominion Government to enact the McCarthy Bill. The result was that the Dominion Commissioners issued licenses to vendors to sell liquors for the purposes specified by the Act and the Ontario Commissioners issued licenses to vendors to sell liquors for the purposes specified by the Act. We had thus in Scott Act counties two sets of licenses in operation. Then the Dominion Commissioners, though they were willing to issue licenses, preferred to leave the Ontario Commissioners to enforce the law. We had a whole years squabbling as to who should enforce the law. We had double sets of Commissioners and nobody to enforce the law.

15924a. At the time the McCarthy Act was declared ultra vires, did that cease?—I think it was passed in 1883, amended in 1884 and declared ultra vires in 1886 or 1887. I might say further that we had not only the difficulty of the local nature of the Scott Act and the disputed authority, but we had not in the Act the powers for enforcement needed to carry it out. For example, we had not the right of search; we had not the power to compel the attendance of witnesses; we had not in a great many cases, Police Magistrates to enforce the law. Magistrates other than those before whom the case was entered could act, and sometimes hostile magistrates associated themselves with magistrates before whom informations were laid. We had all these difficulties to contend with, and for a good while they blocked our work.

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15925a. But by-and-by there was enforcing machinery provided by the Provincial Legislature?—In the second year, practically, the Ontario Government took hold of the enforcement of the law.

*By the Chairman :*

15926a. What was the second year?—The second year in the Province of Ontario would be the year 1886-87.

15927a. The McCarthy Act appears to have been declared *ultra vires* by the Supreme Court on January the 12th, 1885?—It went to the Privy Council after that.

*By Judge McDonald :*

15928a. Mr. Totten informed us that in the month of May, 1887, the legislation of Ontario was complete, as far as legislation went?—I have before me the License Law, which sets out the clauses we were striving hard to get enacted. The Act was assented to in May, 1888. Before that time a large number of Scott Act counties had voted repeal, and repeal had come into operation, and a great deal of the legislation we got from the Ontario Legislature did not come into force until after that. Roughly speaking, I may say that the legislation we wanted all along both from the Ontario Legislature and the Dominion Parliament to make the Scott Act effective, was not finally adopted until the Scott Act had been, in a great many places, repealed. For instance, here is an Act to amend the Canada Temperance Act enacted by the Dominion Parliament, giving us the right of search; it was assented to on the 22nd of May, 1888, by which time the Act had been repealed in a great many cases. We had been petitioning and begging the Government in the House of Commons to let our Scott Act Amendment Bill take precedence of other measures, and it was not enacted until the Scott Act had been repealed in many places. It was the same in the Province of Ontario. We never got the amendments we wanted to make the Scott Act effective.

*By Rev. Dr. McLeod :*

15928½a. Do you attribute the repeal in part to that fact?—That fact led to conditions which led to repeal. Of course that was not the only reason.

15929a. What were the reasons?—In the first place, I said the legislation made the Act comparatively inoperative; I said that the nature of the law, being partial, interfered with its operation, that the conflict of jurisdiction interfered with its operation, that the lack of magistrates interfered with its operation; its operation was also interfered with by Orders in Council that were passed by the Government at Ottawa.

15930a. Were not those Orders in Council designed to help the Act?—I do not know. They may have helped the Act in other parts of Canada, but they decidedly interfered with the enforcement of the law in the Province of Ontario. The License Act of the Province of Ontario provides that when a man is fined for liquor law violation, the fine shall be handed over to the License Inspector to be used by him for the enforcement of the law. The Dominion Government passed an Order in Council providing that the fines for violations of the Scott Act should be handed over to county councils to be used by them for the purposes of the Act; so that the fines, instead of being handed over to the Inspectors, were handed over to the County Treasurers, and they would not allow them out of their possession until ordered by the county councils. In a great many cases the county councils refused to make such orders, and I think it was not until suits were entered against a great many county councils that they were compelled to hand these moneys over.

*By the Chairman :*

15931a. Before that Order in Council was passed at Ottawa, to whom were the fines payable?—The Act not setting out to whom the fines were payable, the magistrates generally followed the practice by paying them over to the Inspectors.

15932a. Was he an officer of the Dominion Government?—No, I am speaking of the Inspectors appointed by the Ontario Government.

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*By Judge McDonald :*

15933a. Did not the informer get half?—No. That may have been the case under the McCarthy Act : I know we wanted to get that done, but I am under the impression that never was the case. There is no provision whatever in the original Scott Act for the disposal of the fines, and it was to make a disposal of the fines that the Dominion Government undertook the plan I have mentioned. But in Ontario the practice was, in some cases, to hand them over to the Inspector.

15933½a. We had it in evidence at Peterborough that the informer got half and the Inspector the other half, and the Order in Council interfered with that, and then the money went to the council?—That would be quite in harmony with what I have said, that the Inspector would dispose of the fines, and he might give half to the informer if he wanted to.

*By Rev. Dr. McLeod :*

15934a. Then that Order in Council, instead of helping in the enforcement of the Act, made the difficulties greater?—In the Province of Ontario it decidedly and seriously hampered law enforcement.

15935a. Did any other things enter into the matter?—Yes. We were seriously impeded in our work by the hostility of a great many officials. A great many License Inspectors were not at all in sympathy with the law, and would not do their duty in helping to put it into operation. The Government was appealed to from time to time, and it was only after long, persistent, earnest agitation that we got these men into the habit of doing their duty. For example, the law provides for imprisonment for the third offence. There were counties where men were fined as many as twelve or thirteen times and never sent to jail at all, for first or second offences, the License Inspector refusing to lay information for third offences as long as they were paying their fines. In that way, the law operated as a license system in these cases, and the men kept on selling.

15936a. We have been told that Inspectors who did not do their duty were removed, and men appointed who were in sympathy with the law. Did that take place?—That took place in a good many cases when we pressed the matter on the Government. But you will easily see that for a long time we were climbing along very slowly. The Act never had in the Province of Ontario the term of operation it is specified it should have. It was intended originally, as we understood, that the Scott Act should have a three years' trial. The repeal contest was on, in most cases, before the Act was three years in operation. An Order in Council was granted by the Dominion Government interpreting that part of the Scott Act providing that it shall not be repealed until three years after it comes into operation—interpreting it to mean, not that the repeal should not be voted on until after three years, but that the repealing proclamation should not come into force until after three years. The consequence was that the opponents of the Act took their votes before the three years were up, and when the Act was repealed there was no use of our attempting to enforce it any longer.

15937a. Was the vote taken before three years after the actual coming into force of the Act?—In most cases, I think.

15938a. So that the repeal movement had got well under way before the machinery was provided, though the more it was provided and developed the more effective the enforcement became?—That is true. Of course, there was a difficulty that we could hardly avoid meeting, and that under prohibition will always face us, I suppose, until the Act has been in force for some time—that was, that it was impossible to prevent politics from interfering with the effective enforcement of the law.

15939a. How would politics affect the enforcement?—In this way. In the Province of Ontario the licenses are issued by the Provincial Government through their Inspectors. An Inspector is an official appointed in a license district on the recommendation of the person who was the standard bearer of the dominant party in the last election. That man naturally enough appoints as Inspector a man who has been one of his most active political supporters. The Ontario Government, that is, the

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Reform party, has been issuing licenses in the province for a great number of years. That condition of affairs you can readily see, could not well go on without those men, who were practically beneficiaries of that party, becoming to a large extent supporters of that party. We had a great many liquor sellers who were ardent politicians of the same party co-operating with them. The Scott Act came into force, and the violators of that law were principally men who had been holding licenses before the Scott Act came in. Now, the Reform Inspectors, strong partisans, had to enforce the prohibitory law against the liquor sellers who were former bosom friends, in some cases, and political co-workers and any one can see how such a condition of affairs must interfere with the effective enforcement of the law.

15940a. We have heard sometimes of some cases of terrorism. Do you know anything of them?—Terrorism was flagrant. I might give you a score of such cases, but I take up two or three papers. Here is one paper, the "Canada Citizen," of January 20th, 1888. It contains a statement of eleven buildings burned in one part of the province, in the vicinity of Irish Creek and Easton's Corners, for which two men, Lee and McDonald, were sent to the penitentiary. Dangerous missiles were hurled at Constable Nettleton in Warren's Hotel, Kemptville, while serving a summons. Constables Nettleton, Bennett, Brown and Smith were savagely assaulted at the Burrill House, Kemptville, by an immense mob. Five of the ruffians were arrested and fined. Main's tannery at Kemptville was partly destroyed by fire. The Methodist church at Kemptville was fired in the same way. Dr. Ferguson, M. P., and three other respectable citizens of Kemptville, received letters warning them against having anything to do with the temperance work, and so on. Several places were dynamited. All through the province these men were carrying on a vindictive warfare which sometimes made the temperance people afraid. I think the terrorism sometimes operated very effectively through secondhand channels. What I mean is this. A man who might himself have little regard for such things might be influenced by his family, who became alarmed at the threats made to him. In some cases the persecution by the liquor sellers took this form: when information would be laid against them, they would summon as witnesses a great many people who had no relationship to the case at all. For example, I remember in the town of Beaverton they summoned nearly a score of the W. C. T. U. workers of the town, and a great procession of ladies were marched into the court. I could mention some things, absolutely too indecent to be mentioned in public, that were perpetrated by the liquor men in their efforts to annoy the temperance workers. This thing was going on all over the country, and it had some effect.

15941a. Were there many convictions for violations of the Scott Act?—Oh, yes, The convictions during the time the Scott Act was in force led, I presume, to this dynamiting and other outrages. The convictions were climbing up at a tremendous rate as soon as we got good Inspectors, and they began to understand the quibbles of the antis. I would like to give you the figures of the convictions that were made under the Scott Act as evidencing the progress made in its enforcement. I have here a table furnished me by the Provincial License Inspector, showing the informations that were laid and the convictions that were made, for violations of the Scott Act in different years. It gives the numbers for each quarter, beginning May 1st, 1886, and running on to July 30th, 1887:—

	Informations.	Convictions.
First quarter.....	463	269
Second ".....	562	272
Third ".....	373	248
Fourth ".....	810	605
Fifth ".....	918	692
Sixth ".....	1,475	949
Seventh ".....	1,370	822

a total in the seven quarters of 5,971 informations and 3,857 convictions. I have no doubt the Department could furnish you with a similar statements for every quarter that the



Act was in operation\*. In reference to what I said about the working of the law being interfered with for want of legislation, perhaps I might quote this resolution which was adopted at a meeting of the Dominion Alliance at Ottawa, in March, 1888 :—

"Serious difficulties have been placed in the way of the Scott Act by the action of the Dominion Government in passing Orders in Council facilitating the shipping of liquor in bulk to Scott Act counties and appropriating the Scott Act fines, so that it is difficult to secure them for enforcement purposes."

The Order in Council relating to the importation of liquor was passed for this reason. Under the excise regulations liquor could not be warehoused in quantities of less than fifty gallons at a time, or ex-warehoused in smaller quantities; but in order to facilitate the importation of smaller quantities into Scott Act counties, the Dominion Government passed an Order in Council providing for the ex-warehousing of these liquors in quantities of ten gallons, so that people could get it from the distillery or bonded warehouse and take it direct to Scott Act counties.

15942a. Do you know whether the criminal records show any improvement during Scott Act years?—That is a mere matter of observation that I think is hardly seriously disputed. It was the testimony of thoughtful people and close observers that notwithstanding the tremendous difficulties in the way of its enforcement, the Scott Act accomplished a great deal in the way of lessening crime.

15943a. Do the records show that?—Letters and statements from clergymen of all denominations and leading citizens. I have here a copy of a document signed by twenty leading citizens of Pembroke and a similar one from Arnprior; testifying to the efficiency of the Act in reducing crime. Rev. Father Rougier, of Renfrew, made this statement: "To my mind, the Scott Act has ended public drunkenness in our midst. From the first of May last, our village has been remarkably free from the sad spectacle of drunken men staggering in the streets. From the above date we have had no police constable in Renfrew; yet we had not to register the painful records of disorder or riots not unknown to us previously to the Act being in force." That is the statement of the parish priest.

*By the Chairman :*

15944a. He was in favour of the Act?—Yes.

*By Judge McDonald :*

15945a. What is the date of that?—This letter is dated November 12, 1885. The Act came into force on the 1st May, 1885.

15946a. Have you any further letter from Father Rougier?—No, I have not. Here is one from Father Bryne, written about the same time: he says: "I have not seen a single person drunk or the worse of liquor in the County of Renfrew since the first of last May."

15947a. The Act had been only in force a few months?—Yes.

15948a. Did you find whether that good state of things in Renfrew continued?—I have not got anything later here, but I have no doubt such certificates exist and I think I could get them.

15949a. Is the Act still in force in that county?—It has been repealed. It does not exist in Ontario. I may say that on the coming into operation of the Scott Act, all the difficulties in the way of its enforcement that I have been speaking of did not develop at once. The liquor men did not know how readily they could violate it. They fancied, as we all did, that it was more effective in detail; but as they found it was not they began to violate it.

\* NOTE.—Mr. Totten, the Chief of the License Branch of the Ontario Treasury Department supplied the following additional information :—

	Informations.	Convictions.
8th Quarter	1,190	568
9th " "	490	326
10th " "	559	380
11th " "	710	484
12th " "	537	348

In the last four quarters there were eighteen less License Districts under Scott Act.

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*By the Chairman :*

15950a. Speaking of the official records of offences of various kinds, do you know whether these records show that there was less crime in Scott Act counties during the next year 1887, of the Scott Act period?—The records I think are imperfect; still the whole evidence is so complete in regard to that matter as to be convincing. There are only two sources of statistical information in reference to crime. One is the Criminal Statistics of the Dominion of Canada. The Department of Agriculture at Ottawa receives from the clerks of the peace in the different counties returns of the convictions for various offences. There is no Inspector that I know of to travel around and follow up their work: the Department simply sends out for the returns. As the statistician at Ottawa says in his report, these statistics are very unreliable. For example, I find that in the County of Elgin, where sixty odd people were sent to jail for drunkenness, there are returned to the statistician at Ottawa only three convictions for drunkenness, although one would think that they would be largely in excess of the commitments to jail.

15951a. Are the returns of commitments to jail made up for the same period as the returns sent to Ottawa?—They cover the same period; they all end on the 30th day of September. The other source of information is the returns of the commitments to the jails of Ontario for drunkenness. They are more likely to be correct, for the reason that the jail books are kept in a specified form, that Inspectors visit the jails, and that the jailers are the custodians of these statistics, and do not compile them from returns made by magistrates. These returns are found in the report of the Provincial Treasurer on the working of tavern and shop licenses. Looking at the totals for the province, there really seems to be very little difference in the aggregate commitments for drunkenness between the years of the Scott Act and the License years.

15952a. I thought you were going to give us some figures in reference to Renfrew?—No, I was going to show you the change that has been made in all of the Scott Act counties of the Province of Ontario; but since you have mentioned Renfrew I will call your attention to that. The Scott Act came into force in the County of Renfrew on the first of May, 1885. I think in dealing with that County we ought to drop out the year 1885, it being a transition year, and compare the years after that with the years before it.

15953a. But did not those letters state that within a few months of the coming into force of the Act a great change has been wrought?—Yes, and so the record for that year shows. I will go back to 1882. In that year the commitments for drunkenness were 24, in 1883, 17; in 1884, 27; in 1885, 11; in 1886, full Scott Act year, 2; in 1887, full Scott Act year, 2.

15954a. What were they in the three succeeding years under license?—Four, one, and no report.

15955a. That is, five for the three years under license against fifteen for the three years under the Scott Act immediately preceding, and sixty-eight for the three years prior to the Scott Act?—Yes, showing that the good effects of the Scott Act and the habit of enforced sobriety remained after the Act was repealed.

15956a. Do you think that was the case in Simcoe, the next county on the list?—The Scott Act came into force in Simcoe in the same year partly, and partly in the following year, through a peculiarity. In Simcoe the commitments for drunkenness were: in 1882, 56; in 1883, 87; in 1884, 99; in 1885, partially Scott Act, 31; in 1886, Scott Act, 35; in 1887, Scott Act, 16; in 1888, partly licensed, back to 23; in 1889, entire license, they leap up to 46. So that that county is a most overwhelming demonstration of the advantages of the Scott Act.

15957a. But you claimed in the other case that the Scott Act had been an educator, and that its effects as such had remained after it was repealed. In this case you are dealing with it in rather a different way. It can hardly be said to have been an educator if immediately after it was repealed the number of convictions for drunkenness so greatly increased?—In answer to that, I will ask you to look at the whole record for the County of Simcoe as given in the returns. You will find that the smallest number of commitments for drunkenness in any one year prior to the Scott Act was 56 in 1882,

whereas since the Scott Act came into operation they have never gone above 46. But what I wanted was not to take any isolated county, which might be affected by local circumstances, but to group all the Scott Act counties of the province together, and if you will allow me to submit them—

15958a. We had all these returns before us yesterday. Taking a group of seven—or counting the united Counties of Stormont, Dundas and Glengarry separately nine, counties in which the Act was in force in the years 1885, 1886 and 1887, excluding Oxford, where the Act was in force four years—I find that the commitments to jail for drunkenness in the three years immediately preceding the Scott Act were 422, in the three Scott Act years 142, and in the three years following the repeal of the Scott Act 251. In Oxford in the four years before the Scott Act went into force the commitments to jail were 158, during the four years of the Scott Act they were 163, and during the four years subsequent to the Act they were 164; there was very little difference!—May I call attention to the fact that you are reading the whole of the commitments to the jail, and when we were enforcing the Scott Act we secured a great number of convictions against liquor men for violations of the Act, and these would go to swell the aggregate commitments in the Scott Act counties for that period.

15959a. I am not reading the whole of the commitments, I am quoting the commitments for drunkenness. Now, I come to the counties in which the Act did not come into force until 1886 and remained in force until 1888, and in these I find that the total commitments for drunkenness in the three years preceding the Scott Act were 3,598, in the three years of the Scott Act 3,265, and in the subsequent three years 3,886. Now, what about the general crimes?—I have not the figures, but I have the figures which you have just read, which I think show that during the periods when the Scott Act was in operation there was a reduction of fully fifty per cent in the criminal record for drunkenness.

15960a. Are you not wrong in saying there was a reduction of fifty per cent in the criminal record for drunkenness. It is rather difficult to draw a general deduction from these figures which are those for commitments to jail. For instance, in the County of Brant, in the last year of the Scott Act the commitments were 147, and in the first year of license following, in 1889, they were 218, and in 1891, still under license, they went down to 112. In the County of Carleton—in which is the city of Ottawa, which was not under the Scott Act—the number of commitments in the last year of the Scott Act was 297, in the next year, under license, they were 296, and in 1891 under license they went down to 204. In some other counties there is a similar state of things, showing how difficult it is to draw a general deduction from those particular returns!—Now, I would like to submit to the Commission a table making a classification of the figures on a plan that, if you will look at it, I think you will at once see the completeness of. I have divided these counties into three classes: first, the counties changing entirely from license to Scott Act; secondly, the counties which changed in part from license to Scott Act—the judicial counties, including the cities; and thirdly, the counties remaining entirely under license. In every case I have taken the year when the Scott Act was complete, 1887. The first table shows the commitments in the counties named to have dropped from 500 in 1883, and 566 in 1884 under license, to 218 in 1887, the only year when they were all under Scott Act, and to have leaped up again in the first year of license, 1890, to 471 and 367 in 1891. As your Honour has pointed out, the Scott Act came into operation in some counties in 1885 and some in 1886; so, to make the contrast clear, I have separated these counties into two groups, as shown in tables 4 and 5, and the figures of commitments to jail for drunkenness run thus: in the five counties that changed from license to Scott Act in 1885 the commitments in the last two complete years of license were 41 and 34, in the two full years of Scott Act they dropped to 16 and 18, and in the two license years succeeding the repeal of the Scott Act they leaped up to 60 and 41. In the ten counties that changed in 1886 the figures are: for the last two license years before Scott Act, 483 and 386; for the two Scott Act years, 150 and 203; on the repeal of the Scott Act they leaped up to 379 and 296. I would like to put in that table, for the simple reason that it is an arrangement of the figures in the only form in which it is possible to show the aggregate results of the Scott Act. (Appendix VII.)

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15961a. Take the third table, with reference to the counties that remained under license; it commences in 1883 with 2,553 commitments and ends in 1891 with 2,518?—Yes, showing a general reduction on a small scale.

15962a. Now, what is the case with regard to general crime?—I have not those statistics before me, not having had access to the records.

15963a. The figures as they have been supplied to us show that in the nine counties under the Scott Act from 1885 to 1887 inclusive, the commitments of all kinds to prison in the three years immediately prior to the Scott Act were 2,100, during the three years of the Scott Act 2,036, and during the three years subsequent to the Scott Act 2,046. In the County of Oxford, where the Act was in force four years, the commitments during the four years prior to the Scott Act were 1,016, during the Scott Act period 1,681, and during the four years subsequent to the Scott Act 982. In the group of counties under the Scott Act from 1886 to 1888 inclusive, the commitments for the three years immediately preceding the Act were 10,491, in the Scott Act period 10,010, and for the three years subsequent to the Scott Act period 10,555. If the figures were added together, the commitments during the Scott Act period would be the largest?—Which one would naturally expect in view of the fact that we were sending a good many people to jail in connection with the liquor traffic.

*By Rev. Dr. McLeod:*

15964a. It is said there would be a loss of revenue to the Dominion in customs and excise duties of some \$7,000,000 in the event of the enactment of a prohibitory law. Will that be lost, in your opinion?—I presume that I might reply that it would be the duty of the parties who are interested in the revenue.

15965a. But you have drafted a bill, and I supposed you might have considered that point?—I do not suppose I would be going too far to accept the statements of the Finance Ministers that they would not be troubled about it. I am inclined to think that we are not going to lose revenue to the extent that is imagined, because you will notice that when we get prohibition for beverage purposes, the liquor required for medicinal, scientific and sacramental purposes will still be allowed to come in, and no doubt a large amount will be used in these ways. Perhaps the medicinal use will be larger for quite a while than it was before. At any rate, we would not expect to annihilate the traffic. I think we would make wonderful progress if we cut off three-fourths of it. In that case there would still be left a fourth of the revenue, and I am not sure but that fourth might be doubled. I do not think it would hurt the liquor traffic if it were asked to pay twice the amount of duty it pays now. But you will notice that in this bill, to which you have been kind enough to make allusion, it is provided that all liquor traffic carried on shall be carried on by the Government; the Government does all the importing, manufacturing and selling, and gets all the profit. Probably liquors for medicinal, sacramental and mechanical purposes would be sold at higher prices than they are now. The Government would fix the price, and it would be easy for them to fix it so that they would get the whole \$7,000,000 of revenue out of the fourth of the liquor traffic that remained and that they controlled. But beyond that, I would like to ask attention to this fact, that the amount of money that is now spent by the people of this Dominion for liquor, applying the figures given by the Finance Minister as the probable amounts paid by the consumer for liquor to the quantities that the returns show, is not less than \$31,000,000. Now, if that money were not used in that way, it would certainly be expended for other goods. In fact, a great many of the people who consume large quantities of liquor are people who consume very small quantities of luxuries, and it is reasonable to suppose that they would then spend all the money they now waste on liquor in buying the things they really need.

15966a. Do you think none of them would invest in property?—It would be very desirable if they would. But it is not unfair to assume that a great deal of that would be spent in other goods, and in that way the revenue would be enhanced. And not merely would the people have \$31,000,000 taken from the liquor traffic to spend for these luxuries, but they would be qualified by their increased habits of sobriety to earn more money. They would be more comfortable; the wealth of the community would be increased; and the amount of money available for such uses would be much

more than the amount now available for liquor, and a great deal of it would find its way into the revenue.

15967a. In connection with the consumption of the goods that would be dutiable?—Perhaps one or two facts would be much more valuable to the Commissioners than my opinion. I have in my hand a volume by Dr. Frederick Richard Lees, of Great Britain, a Fellow of the Royal Society, a standard authority; and in this book he quotes from a British Parliamentary document, the fourth and fifth reports of the Commissioners of Inquiry, made in 1822. He calls attention to the fact that on account of the famine that prevailed in Ireland in the year 1809 and 1810 and again in 1813 and 1814 the distilleries were stopped. It will be noticed that those years were years of scarcity in the country, and not prosperity. The average consumption of spirits in the years between the periods I have named was seven and a half million gallons, whereas in the famine years I have named it was not more than four and a quarter million gallons, showing a saving of three and a quarter millions of gallons annually in these years. Here is a statement from a treatise on the police of London, by Mr. Colquhoun:—

“It is a curious and important fact that during the period when the distilleries were stopped in 1796 and 1797, though bread and every other necessary of life were considerably higher than during the preceding years, the poor were apparently more comfortable, paid their rents more regularly, and were better fed than at any period for some years before, even though they had not the benefit of the extensive charities which were distributed in 1795.”

Now, here is a table which shows the articles the importation of which into Ireland increased in the famine years 1809-10 and 1813-14 when the distilleries were closed; and it will be noticed that they were not articles that took the place of food, but such articles as I have spoken of. The articles and increases were:—haberdashery, £30,000 worth; drapery, 1,356,070 yards; iron, hardware and pots, £129,651 worth; blankets, 33,401 in number; cotton goods, £93,000 worth; black tea, 341,511 lbs.; Muskovado sugar, 74,324 cwts.; and so forth, giving this result, that while the revenue from spirits fell off very largely, the revenue from these articles very largely increased. Let me quote one more sentence:—“In the year of Father Mathew's greatest temperance triumphs in Ireland, while the revenue from whisky was vastly reduced, the total revenue had increased £80,000 above its average, besides saving much cost in collection.” I do not say that that would be paralleled in Canada, but it indicates the way in which there would be a great saving to the country to make up for the loss of revenue from the liquor traffic.

*By the Chairman:*

15968a. That list does not include articles on which the revenue of the Dominion would be likely to be increased, unless you would put a duty on tea?—I am not proposing to increase the taxes; but there are a great many articles of fine woollen goods, for example, worsteds and such things, that are not manufactured in this country, that pay heavy duties, and that people who now spend money in liquors, would buy. I do not pretend to go into details. I am speaking of the general principle. There are some articles that might be taxed heavily. I would not object to increasing the tax on tobacco. I do not mean to say that that would entirely replace the revenue or give exact details, but the general revenue of the country would be greatly increased by the consumption of such luxuries as the people who spend money in drink are not able to buy now.

*By Rev. Dr. McLeod:*

15969a. And which money a gentleman who was before us the other day said was as much wasted as if it were cast into the lake?—More so. I think if \$10,000 is spent in Toronto in a given period in liquor, and that \$10,000 were thrown into the lake instead, the city would be poorer after spending it in liquor than after throwing it into the lake.

15970a. How do you make that out?—Because the spending of the money in liquor involves the loss of that amount of wealth to the community. For instance, I have in my possession twenty-five dollars, which I invest either in clothes or food, or other use—

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ful property. When the exchange is completed, there remains in my possession, the twenty-five dollars worth of property, in which I invested the money, and there goes into the hands of the other party to the transaction, my twenty-five dollars of money. We have between us fifty dollars of the wealth of the city of Toronto.

15971a. Then have you doubled the wealth?—No, we have each twenty-five dollars. Now, suppose I went out and spent the twenty-five dollars in drink. In the different saloons of this city there would be twenty-five dollars of my money, and I would not have a particle of anything to show for it, except an impaired constitution. Suppose a man were extravagant enough to spend \$1,500 a year in drink: he is at the end of the year \$1,500 poorer, and the saloons \$1,500 richer. Suppose, instead of doing that he goes and builds a house with that money: at the end of the year he has the \$1,500 in the house, and the \$1,500 is in the hands of the men who built it. The money spent in liquor is as completely thrown away as if converted into legal notes and set fire to at the gas. The whole \$31,000,000 spent in Canada is a complete loss. The Finance Minister said that if he had the money spent in liquor, in Canada he would have paid the whole expenses of the Dominion, built every mile of our railways, and left us without the shadow of a national debt.

*By the Chairman:*

15972a. Who was that?—Hon. Mr. Foster.

*By Rev. Dr. McLeod:*

15973a. Then there is the question of provincial and municipal revenues. The Province of Ontario gets about half a million dollars and Quebec about half a million. How is the province to make up that large amount of money?—The exact amount of revenue paid over to all the municipalities of the Province of Ontario under the License Act in the year ending April 30th, 1892, was \$289,487.41, and the province retained \$300,604.30; but from this amount is not deducted the salaries and all other expenses of the license department.

*By the Chairman:*

15974a. In 1890, I think they got \$603,000 and in 1891, \$604,000?—That in round figures is about the amount.

*By Rev. Dr. McLeod:*

15975a. Have you any idea of the working expenses of the license department?—I should say \$16,000 for travelling and other expenses, making the provincial share about \$285,000.

15976a. What is to take the place of these revenues? Are the people to be directly taxed in order to make them good?—In connection with that, I would like to put before you a calculation I have made, though not intended for this purpose. All the revenue that all the municipalities derive from the liquor traffic is a little less than \$300,000. In return for that, there were licenses granted to 3,393 retail liquor sellers. These retail liquors sellers were practically the tax collectors in the municipalities of the province for the \$300,000 they got. Now, these people do not keep open on Sundays or on election days in this province, so that we may estimate that they sell liquor for 310 days in the year. Putting the average sales of the liquor sellers at \$15 each, which I think is low, the 3,393 retail liquor sellers of the province, took out of the pockets of the people of this province, in these municipalities \$15,777,450. That is the amount they receive in return for collecting for the municipalities, a little less than \$300,000, or in other words, the collection of every \$3 costs the taxpayers \$150. I do not think that is fairly worth considering at all as a loss of revenue, when it means putting into the pockets of the people \$150 for every \$3 added taxation. It simply amounts to this: In the city of Toronto, we have to raise a certain amount of money and for every \$3 we raise, we bonus the people with \$150 to start with. The whole thing on the face of it seems to me to be such an economy that I think that the people of any municipality would a great deal rather pay \$3 than pay \$150. The same would

apply to the provincial revenue. In fact, the \$600,000 of revenue that the province and the municipalities together receive would fall very lightly if imposed in any way on a community that would be very much wealthier than it is at present.

15977a. How would you impose it?—I suppose that does not come into consideration when we are dealing with the municipal revenue, because all the municipalities do not impose direct taxation, and if they lost half a mill in the dollar through not having any liquor revenue, they would probably put on the extra half mill by direct taxation, unless they would economize a great deal more than the \$300,000 by the increased safety of life and property, and probably in the cost of charities and police.

15977½a. The latter I can understand, but how does the safety of life and property affect the revenues of the municipality?—There are a great many accidents, such as fires, and injuries to persons through bad places in the sidewalks. The city has every year to pay a great many bills as the results of accidents that would not have to be paid if all were sober.

15978a. Do you attribute all of these to the liquor traffic?—Not all, but I think there might be an economy in that direction. Then there is \$300,000 to be raised by the province. I do not see why the provinces should not have a share of the money that is being made out of the permitted sale of liquor for purposes that would still be allowed; and I have provided for that in this bill by a clause which says that after the payment of all expenses a certain proportion of the money shall be paid into the provincial treasury. But, after all, it strikes me that to make provision in a wealthy province like this for \$300,000 of revenue is a matter that our Provincial Treasurer would be quite equal to.

*By Rev. Dr. McLeod:*

15979a. In the event of the enactment of a prohibitory law, how would it be possible, with our immense national boundary and great coast line, to prevent wholesale smuggling?—The great boundary line of the Dominion of Canada is, I think, hardly a factor in the consideration of the question of smuggling. We have all that now, with practically no smuggling of liquor into the Dominion going on. The smuggling is practically all done on the seaboard now, and that smuggling would probably go on.

*By the Chairman:*

15980a. Where does the liquor come from?—Largely from the Islands of St. Pierre and Miquelon.

15981a. It does not come originally from there; it is not made there?—It is made in the United States.

15982a. And it comes from the United States?—Yes, but it has to go round that way and come in by the seaboard, because it could not come across.

15983a. That is because the territory of these islands is under the jurisdiction of the French Government?—Yes. There could be no smuggling along the line between the two countries, because smuggling is carried on wholly for the money there is in it, and the people down there can carry on the smuggling operations by purchasing large quantities of liquor at a very low price, because the liquor has paid no duty. It has been ex-warehoused from the United States to St. Pierre, and it is taken there with no or almost no duty to be paid on it. But under the rigid excise regulations of the United States, no barrel of liquor could leave a distillery or brewery there and cross the lines into Canada unless it came here in bond, and if so the bond would be only cancelled, and the bondholders released when the liquor was bonded in Canada. Consequently, the only liquor that could be smuggled into Canada direct would be the liquor that paid the duty. The smuggling would be made all the more difficult from the fact that the liquor would have to be brought across the boundary line, and the risk would be too great for the possible profit there would be in it; for the liquor would be contraband in Canada. Under our prohibition law the smuggler would have to dodge the customs officers in the first place, and then our prosecuting officers all over the country. I think the difficulties of smuggling are greatly increased under prohibition, and therefore there would be a serious impediment in the way of extensive smuggling. I do not imagine it would be wholly stopped. Smuggling would go on;

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liquor would be sold ; but to my mind, the choice between prohibition and license is to consider which is the better for lessening the evils of intemperance. We can hardly hope to abolish them while humanity is what it is.

*By Rev. Dr. McLeod :*

15984a. You were with the Commission during its western tour last spring—part of the time, at least ?—Yes, a good deal of it.

15985a. Your visit to Kansas that you have referred to was not at that time ?—I was not with the Commission in Kansas. I think I was with them in every State except Kansas and Nebraska.

15986a. Were you at Omaha ?—I was at Omaha myself—not with the Commission.

15987a. In Omaha there is high license, which it is sometimes contended promotes an exceptional condition of good order and sobriety. What was the result of your observations there ?—I would not like to say much about the liquor traffic there, for the reason that I only spent part of one day and evening there, and I was not there on Sunday, and have no experience as to how the restrictions of the law are enforced. I know that gambling is very flagrant. I know that the social vice is open and public. In fact, the incitements and allurements to prostitution, the advertising of it, are as public and unchecked as the same are with reference to the liquor traffic in Toronto. I suppose everybody acquainted with the place knows that Omaha has not only a licensed liquor traffic, but the plan of deriving a revenue by the practical licensing of prostitution. I may be wrong, but it seems to me as if high license has put into the public mind the idea of making money. The liquor traffic that was at first restricted is licensed for the big revenue it yields, and then the people take hold and license something else ; and in Omaha they are practically licensing prostitution by a system of fines that yields them \$30,000 a year which they turn over to the school fund, and the result is perfectly sickening.

15988a. How would Omaha compare with Toronto ?—We have, I suppose, that dreadful feature of civilization in Toronto, but those places are not carried on here in the alluring, public way they are there. I would be very sorry to think of comparing Omaha with Toronto.

15989a. You were in St. Paul ?—I was in St. Paul on Sunday.

15990a. Did you observe whether the license law was strictly observed there ?—I went around on Sunday and saw all the saloons closed to the extent that the blinds were down and the doors on the swing, and I saw people going in and out freely. The next day, as you heard, the Chief of Police said they were to be closed on Sunday, and he explained closed to mean blinds down and doors closed ; if that were done people might go in and out all day, and they would not be disturbed. He explained that the drunkenness in St. Paul was caused, not so much by the saloons as by the beer gardens outside of the city limits. He did not conceal the fact that drunkenness on Sunday was common.

15991a. Did you get the idea that there was any interference with free Sunday sale by the pulling down of the blinds ?—I saw none and the Chief of Police informed us that there was none.

15992a. Were you in California with the Commission ?—Yes, I was all through California as far as they went.

15993a. Were you in some of the no-license towns there ?—No, the Commission did not visit the no-license towns. They only went where liquor was sold under the law.

15994a. What about Riverside ?—It was not a prohibition town. It had been at one time. The Commission went to no place in California where prohibition was in force. It is in force in a good many places there.

15995a. Is prohibition in force in Riverside now ?—I have been informed that prohibition has since been carried there.

15996a. You were in Des Moines while the Commission were there ?—Yes.

15997a. Did you accompany any Commissioner or any other persons on a tour of investigation ?—I accompanied the Commissioners on the tour of investigation when they visited the newspaper offices, the police offices, the government house, and so on.



15998a. Did you see signs there of flagrant violation of the law that would be open to the observation of the passer-by?—In the police office we saw a good many vessels containing liquor, labelled as to where and when they had been seized, evidently showing that a good deal of liquor was sold. We were informed that there were private clubs where liquor was sold, and also that it was sold behind screens in drug stores. We knew that liquor was sold, but there was no open sale that was advertised.

15999a. Did you see any indications of the enforcement of the law, taking into consideration the size of the city and all that?—Yes, the law was sufficiently enforced to prevent anything in the shape of a sign that invited any one to drink, and a man who wanted liquor in the town would not know where to go unless he made inquiry. There would be nothing to direct him unless the advertisement of some cherry wine that we inquired about and found to be harmless.

16000a. From your observations in Iowa in the several places you visited, did you reach the conclusion that notwithstanding violations and non-enforcement, the prohibitory law was in a fair degree enforceable and enforced?—I got the idea that in the river towns the law was practically not at all enforced, but in all those places we had evidence that it was enforceable, and in every place visited we came across men who had seen it enforced and declared that it could be enforced. Evidence was given that in the rural parts of the State, which the Commissioners did not visit, the law was well enforced, and that on the whole the prohibitory law was so well enforced that there was less intemperance.

16001a. You would rather measure the law by what it actually does than by what it fails to do?—I think that is the sensible way.

16002a. The question has been asked of a great many people what is the effect on the moral sense of a community of flagrant and persistent violation of the liquor law?—That is a kind of ethical question, I suppose. The effect on a community of permitting the violation of the law must, I think, be bad. I think the effect on the morals of a community of a legalized wrong-doing must be very bad. To my mind, the legalization of the liquor traffic where license laws are in operation—I will not say enforced—is more injurious to public morality and respect for law and what law ought to be, than open violation of laws where the laws on the Statute-book are right. What I mean is that I would rather have laws against evils violated than I would have laws favourable to evils.

16003a. What about the alleged perjury under the Scott Act?—It occurs, I have no doubt. It cannot be otherwise.

16004a. Is it peculiar to Scott Act cases?—No. It is an offence that must always come where there are crimes of such a character as the crime of selling liquor contrary to law, and it is something that makes laws of that kind more difficult of enforcement than other laws, for instance, such a law as I mentioned a little while ago as flagrantly violated in Omaha, where you have both parties to the crime desirous of its commission, you come into special danger. If a man sees another stealing or picking a man's pocket, there comes into his mind indignation against the man who is violating the law by stealing, along with the compassion for the man who is wronged, and those feelings urge him to move against the violator of the law. When he sees a man selling liquor to another man unlawfully, and that man being a partner to the wrong doing, his compassion does not take the same form. When you come to prosecute for the offence of selling liquor, the man who witnessed the offence is not as ready to give evidence as in a prosecution for stealing, and the man who is a party to the offence is desirous of having the offence continued, and you are sure to have perjury for these reasons. The man who has purchased the liquor has been a party to the violation of the law for the gratification of his appetite, the other man has run a risk to gratify him, and therefore he feels in a strong sense in honour bound to shield him. In the next place, he wants his gratification continued, and he knows that it will interfere with it to testify against the other man. Then the liquor men sell to people who they know will perjure themselves if necessary, and the men who come up in liquor cases are men who have been selected by the liquor sellers as likely to be perjurers. Then, you have the fact that that kind of illicit business will be naturally patronized by a low class of men who will

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be likely to commit perjury. For all these reasons I think that perjury is more likely to manifest itself in persecutions for violations of liquor laws—not specially under Scott Act, but under license law as well. Wherever you try to enforce the restrictive provisions of the license law you have the same perjury as under the prohibitory law.

*By the Chairman :*

16005a. Do you think to the same extent as under a prohibitory law?—I think to the same extent in proportion to the amount of protection and violation of law that goes on.

16006a. Is it an advantage to the community to have a law that creates that state of things?—I think I have said enough to show that the law does not create it, but the liquor traffic does, and I think it is a benefit to the community to have a law against the traffic which causes that state of things. The law causes no perjury ; it is the violation of the law in the interest of which the perjury is done, and the perjury should not be chargeable against the Scott Act, but against the liquor traffic that the Scott Act strives to put down.

The Commission adjourned.

TORONTO, Nov. 3, 1893.

The Commission met at 10 a.m.

*Present* : Sir JOSEPH HICKSON, presiding.

JUDGE McDONALD.

REV. DR. McLEOD.

The CHAIRMAN.—It is intended to close the sittings of this Commission in Toronto this evening. We shall sit until six o'clock, and if there is anything very pressing, perhaps a little longer.

Rev. DR. McLEOD.—So far as I am concerned as Commissioner, I am desirous that the Commission should continue sitting until all those have been heard who have a right to be heard, and who claim that they have been waiting to be heard.

Judge McDONALD.—I may say that I am exactly of the opinion of Rev. Dr. McLeod, in that I desire to hear any evidence that it is important the Commission should take; but I feel that as the Commission has been sitting nearly two weeks in Toronto, and has taken a great mass of testimony from all classes of people and upon every phase of this question, really the time has come when, in the interest of the inquiry itself and in the interest of the country, the inquiry in this city should be brought to a close. It has been understood since, I think, Tuesday last, that the Commission would close its sittings in this city to-day, and that announcement has been made by the daily press, although we have not authorized any such announcement.

Rev. DR. McLEOD.—There has been no final decision of the Commission to that effect.

The CHAIRMAN.—The Commission will terminate its sittings in Toronto to-night, as I have announced; but there is nothing to prevent the Commissioners, at any time hereafter, if they find that they require the evidence of any individual, from making arrangements to examine that witness. We are searching after facts rather than after a multiplicity of opinions; and I may remark that at every place where we have been, we have endeavoured to get facts and information from the officials in those various communities and from other persons who have taken interest in this question.

Mr. SPENCE.—May I ask, if there are important witnesses whom it is important to examine in the interests of this inquiry, whether we may expect to have them called at some other place, and will their expenses be paid by the Commission?

The CHAIRMAN.—Any application of that kind that you may make, will receive the full consideration of the Commission.

F. S. SPENCE, Recalled.

Before commencing, I would like to hand in the documents referred to yesterday<sup>1</sup> containing the declaration of principles of the Council of the Dominion Alliance, (Appendix VIII.) the articles of incorporation and the constitution of the Ontario branch of the Dominion Alliance. If the Commission would permit, I would like to make a short statement in connection with the table that I gave yesterday, showing the basis upon which that classification of the different counties has been made; and I would like to put that table in the report.

The CHAIRMAN.—We will examine these papers and see if it is necessary to print them. We do not want to print anything that is not absolutely essential, because the cost of this report is going to be very great. We will keep them before us.

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Mr. SPENCE.—I have also with me the official stenographic report of the Convention at Ottawa, and the words that I made use of in reference to the appointment of this Commission, as they are officially reported and as they are in the records of that Convention.

The CHAIRMAN.—If you wish to get it in the evidence, you had better read it.

Mr. SPENCE.—The official report shows me to have said :—

"I would like to put the Temperance Alliance right before this convention on a point upon which, otherwise, their action might be misconstrued. I think our honoured leader a little misrepresented us; probably from misunderstanding us. I was afraid that from what he said you would be led to think that we endorsed the farce of the Prohibition Commission. We have never done anything of that sort. The convention that met in Ottawa was simply a caucus of prohibitionists, who were Members of the House of Commons, and they decided not to bring in a prohibition resolution that session, simply because they knew that there was no use in trying to pass such a resolution, pending the report of the Commission."

Those are the words that were spoken publicly in reference to it. Everywhere I have expressed my opinion that the inquiry of this Commission would be of incalculable value to the temperance cause and a benefit to the community in the way of giving us information that would be very useful. I have in my hand also, a resolution that was adopted at a very large meeting of the prohibitionists in the city of Toronto, when the Scott Act came into force, setting forth the difficulties that I have referred to about the McCarthy Act interfering with the enforcement of that law, and stating that because of that, as well as on account of the difficulty in getting the salaries and expenses of Police Magistrates paid, violations of the law should not be taken as evidence that it was not effective; also, regarding the action that had been taken in the Parliament at Ottawa, towards emasculating the Scott Act. I would like to have that resolution handed in.

*By Judge McDonald :*

16007a. What do you mean by emasculating the Scott Act?—From time to time, there were passed various amendments in the House of Commons. For example, an amendment was introduced permitting the sale of wine and beer where the Scott Act was in operation, and there were other amendments like that which materially interfered with the effectiveness of the Scott Act.

16008a. It was considered at this meeting of which you speak, that that was a move towards emasculating the Scott Act, or weakening it, you mean?—Yes.

16009a. So that it did not produce the same benefit that you expected?—Making it comparatively ineffective.

*By Rev. Dr. McLeod :*

16010a. When we adjourned last evening, I was about to ask you about the Northwest Territories. But, looking over the few notes I had made, I find I omitted to ask you about the causes of the repeal of the Scott Act in Ontario. Would you please state what those causes were, in your opinion?—I have a memorandum here of the reasons for the ineffectiveness of the Scott Act and its failure, to some extent. I will mention them, if you will allow me, because they are really the reasons that, I think, led to its repeal. I think the Scott Act was repealed, in the first place, because of disappointment on the part of the people, who had formed an exaggerated idea of what a measure of that kind could accomplish; and, not finding it produce as much results as they had anticipated, they were more indifferent towards it and more apathetic than they otherwise would have been. The second reason, was the hard feeling that was caused in the community by the forcing of evidence. Another matter was the annoyance caused to the people all through the country by the action of the liquor sellers, who were mainly those who had been hotel-keepers before the adoption of the Act, and who, afterwards, locked up their hotels and perpetrated outrages upon the people. On that point, I have here a few clippings from newspapers, covering a short period of time, and detailing a number of those outrages, and I would like to have a note taken of them.

*By the Chairman :*

16011a. Did you not refer to a number of them yesterday?—I did, and these are all in addition to those that I referred to yesterday. I wish to make these statements of the Scott Act outrages as reasons that led people to refrain from voting for the retention of the Act.

16012a. But are they more than newspaper reports? You cannot vouch for the facts, can you?—The facts were all published by myself, and were never contradicted.

*By Judge McDonald :*

16013a. Were the alleged perpetrators of these deeds prosecuted and convicted?—I am quite willing to accept the responsibility of stating that these deeds have been committed in the way I propose to describe.

16014a. Do you state by whom?—In many cases, by whom. I am quite willing to accept all the responsibility that is involved.

*By the Chairman :*

16015a. But is it really necessary to do more than hand in the statements for the use and guidance of the Commission?—I have no objection to your handing them in!—I would prefer decidedly to put them in as part of my evidence.

16016a. I see no objection to your referring to them, but I do see an objection in quoting them as part of your evidence. If you choose to hand them in, the Commissioners will make such use of them as they may think desirable. They will have the statements and may decide to publish them hereafter as an appendix to their report. If you desire to refer to them briefly in your statement, well and good.

Rev. Dr. McLEOD :—If Mr. Spence desires to put these in as part of his evidence, what objection can there be?

Mr. SPENCE :—Not the statements in full, but epitomizing them. That is what I was proposing to do.

*By Judge McDonald :*

16017a. The greatest latitude is given you in allowing you to refer to them at all, because they are not evidence but mere newspaper statements. I think you might state that in the public press there appeared from time to time statements of certain things being done which led you to believe, from the best information you have, that they were done for a certain purpose. But further than that you have no knowledge?—I know they are evidence, because I have gathered information about them, and they are better evidence than all the Government statistics and other second-hand information which you have asked me to lay before the Commission. I have more direct knowledge of these statements than I have of most of the facts regarding which I have been questioned.

The CHAIRMAN :—In a court you would not be permitted to give this as evidence.

Rev. Dr. McLEOD :—Have the rules of evidence been strictly enforced in hearing witnesses heretofore? I think much latitude has been allowed in every case.

Judge McDONALD :—Mr. Spence might very well say, although it may not be within the rules of evidence, that he gained certain information from the public press which he satisfied himself in his own mind was true, that he learned that quite a number of such and such things occurred; but to put them in as evidence, I think he has no right to do it.

*By the Chairman :*

16018a. I am prepared to hear Mr. Spence give evidence of what he knows, but I am not prepared to take these statements as evidence. You may refer to them, of course?—I wish to make a summary, and I will make it as brief as possible. The first case arose at Wallaceburg. A man had committed arson and surrendered himself to the court. The evidence showed that he had been fined for violation of the Scott Act upon complaint of one of his neighbours. Subsequently, in a violent passion, he slapped the

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other man's face, used profane language, and threatened to burn his property. The property was burned, and the prisoner was held in bail of \$2,000.

The CHAIRMAN:—You will pardon me for interrupting you, I want to give you the largest possible latitude consistent with getting from you useful information for this Commission, but, as I understand, these are simply newspaper statements which you wish to put in to show the difficulty of enforcing the Scott Act.

Mr. SPENCE:—And the terrorism, personal violence and so on which led to the conditions which caused the repeal.

The CHAIRMAN:—Now, would it not answer your purpose if you handed this in to us for our information and not as evidence? We know, of course, as it was a matter of public notoriety that there was trouble about enforcing the Scott Act; we know that violence was used on many occasions. Will anything be gained by your going over all these and quoting them in your evidence to-day? I merely submit that to you.

*By Judge McDonald :*

16019a. I would like to ask, what was the final result of that case?—I have not got it before me just here.

16020a. There is a case where a man is admitted to bail for trial, but you do not state what the result of the trial was. Do you know whether that man was convicted?—I do not know whether he was convicted in that particular case. I am just giving you a summary.

16020½a. Perhaps that man was acquitted, perhaps he was not guilty. You see the effect of putting a statement of that kind in our records?—I am showing the causes that lead to the terrorism and fear that existed in the community. I am quoting the fact of the burning of a building by a man who was arrested therefor and held to bail by the court. I am endeavouring to illustrate the cause of the terrorism in this community.

The CHAIRMAN:—You said there was terrorism in the community, and intimidation and violence, which constituted a difficulty in enforcing the Scott Act; and you hand in these papers to substantiate that fact, supplying information to the Commissioners on the subject. Does not that accomplish all that you desire to do?

Rev. Dr. McLEOD:—He makes a general statement that there was terrorism. Is it not necessary that he should give some facts showing the nature of that terrorism?

The CHAIRMAN:—He hands in papers for that purpose for the information of the Commission, and we have them to refer to. Mr. Spence himself has said that he does not know the result in the case he quoted.

Rev. Dr. McLEOD:—But he knows that terrorism existed.

The CHAIRMAN:—If the Commission so desired, they might make an investigation into the results of this terrorism. I am only submitting to Mr. Spence that he will accomplish all he desires by adopting my suggestion. Surely he has some confidence in the Commission.

Mr. SPENCE:—I have full confidence in the Commission. But it might just happen that this evidence might be ruled out of the Commission's report.

The CHAIRMAN:—I am not promising you that we shall publish it, because the cost of the publication of this report will be a serious matter. But you are putting information before the Commissioners, and if the information is ignored by them altogether, why that would be perhaps, a cause of complaint.

Mr. SPENCE:—If you will kindly allow me to finish my sentence, I made a statement showing terrorism, which statement, no doubt, is in your stenographic record, that statement I am responsible for now, and I wish to show the facts upon which it is based. If these facts were left out of the record, then my statement might be challenged as having been made and not substantiated.

The CHAIRMAN:—The papers would always be there and in the possession of the Commissioners.

Mr. SPENCE:—I have made a statement for the information of the Commissioners, and I wish to substantiate that statement.

Rev. Dr. McLEOD:—If the statement is made in the record, ought not the substantiating fact to appear in the record also? For instance, a gentleman comes before

us and tells us that the expense of his business in a distillery is so much, and we accept his tabulated statement in support.

The CHAIRMAN :—He put it in, and we have to draw our own inference. He puts it in as a thing that he knows.

Rev. Dr. McLEOD :—Mr. Spence puts these things in as things that he knows, as evidence.

Judge McDONALD :—No, I understood him that he does not know that these men did so and so.

The CHAIRMAN :—I rule that we will receive these statements if Mr. Spence wishes to hand them to the Commissioners, but we cannot agree to quote them in the report as part of his evidence.

Rev. Dr. McLEOD :—Will you kindly consider me as taking exception to the rule.

Mr. SPENCE :—Then I am not to make any summarized statements?

The CHAIRMAN :—I think it is not necessary, if you hand them in. You have a memorandum of what you give us. You have supplied to the Commissioners statements that you consider to be in substantiation of your original assertion.

Mr. SPENCE :—Of course I yield to your ruling.

*Bg Rev. Dr. McLeod :*

16021a. Have you something else to say about the causes of repeal?—I was referring to the annoyance and irritation caused in the community by outrages. I would put down as a fourth reason, and as being a very large factor in the apathy that led to repeal, the dissatisfaction of the public everywhere with the failure to secure necessary legislation. That seemed to indicate a hopelessness in attaining the enactment of the measures that were necessary to make this law effective. In the fifth place, the bringing on of the vote prematurely; before people had experience of the effect that the Act was primarily intended to produce, and at a time when the irritation because of failure in the enforcement in some cases, and the rigidity of the enforcement in other cases, was the most extreme. In the sixth place, the party politics which led a good many people, who believed that they were suffering politically, to refrain from voting. I do not mean by that that there was an organized political effort to repeal the Scott Act; but that a great many people who were more politicians than temperance men, and who voted for the Act in the hope that it would accomplish a certain result, now found that it was accomplishing another result they had not anticipated, and they refrained from voting, or voted in a way that they thought would remove an irritation in their political party. I think these might be summed up, as reasons for the repeal of the Scott Act.

16022a. Then can you tell us anything about the results of Scott Act repeals?—I think the evidence goes to show that the results of Scott Act repeals were in nearly every case disastrous, that is, that there was an increase of drunkenness. I think these statistics that have been commented upon ought to make this very clear. I have in my hand a few letters which were written under the following circumstances. In the fall of 1889 I sent a letter to a representative man in a number of different districts, asking what he had seen as the result of Scott Act repeal. I have here a list of the gentlemen to whom I wrote and from whom I received answers, with their residences. I will read it :

J. S. Larke, Oshawa.  
D. M. Lee, Paris.  
William Boys, Barrie.  
Rev. W. A. McKay, D.D., Woodstock.  
Judge McDonald, Brockville.  
Dr. A. Groves, Fergus.  
Rev. R. Whillans, Hintonburg.  
Rev. G. R. Turk, Guelph.  
Charles Hutchinson, London.  
H. P. Moore, Acton.  
Rev. B. F. Austin, D.D., St. Thomas.  
W. W. Dean, Lindsey.  
Dr. J. A. Fife, Peterboro

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D. W. Dumble, Peterboro.  
A. Lang, Barrie.  
J. H. Long, Whitby.  
J. G. McCrae, Sarnia.  
M. Youmans, St. Catharines.  
W. B. Brothers, Milton.  
C. E. Ewing, Kingston.  
Asa Beach, Iroquois.  
James Noble, Strathroy.  
Rev. W. H. Warriner, Bowmanville.  
O. W. Kennedy, Aylmer.  
Angus McKay, Orillia.

I have with me here the replies of all these gentlemen. I could give you an extract from each letter that would set out exactly the tenor of the reply I received.

*By the Chairman :*

16023a. How many have you?—A. Twenty-five.

16024a. I think you had better hand in these letters, if you can do so. Of course you need not do so if there is anything of a private nature in them?—I think there is nothing in them that I wish to keep private. The letters are all evidence of the effects of Scott Act repeal. I have stated that I had good reason to believe that drunkenness had largely increased, and these letters contain the facts upon which I base that statement.

16025a. You hand these in as corroboration of that statement?—I wish to read extracts from those letters as corroboration of the statement that I made.

16026a. I think it is not necessary, if you will hand in the letters?—I would like very much to have the record show some of these strong statements.

16027a. I think you have already stated that you have confidence in the Commissioners?—I have confidence in the Commissioners, but I would like to substantiate my own statement.

16028a. We will take care of these letters. They can be appealed to at any time if we do not do you justice?—No answer.

*By Rev. Dr. McLeod :*

16029a. Did you wish to read these letters, or give us a summary?—I proposed to read an extract from each of these letters that would bear out the statement I made.

16030a. I would be very glad to hear them?—No answer.

Judge McDONALD.—If a portion is read, then the whole must be read.

The CHAIRMAN.—Then the Commissioners ought to have the originals of these letters.

Rev. Dr. McLEOD.—If Mr. Spence reads them, they will remain part of the evidence.

Judge McDONALD.—I quite agree with the Chairman that the letters will remain with the Commission for reference to Mr. Spence's evidence.

Mr. SPENCE.—Of course, I would like to say to Judge McDonald :—

Judge McDONALD.—Please remember that it is the Commission you address. I am speaking as a Commissioner. I will say this further as a Commissioner, that the Chairman has ruled in the matter, and surely that ought to be sufficient.

Mr. SPENCE.—I would say in reply to what the Commission has just stated through Judge McDonald, that I wish to retain in my possession these letters for further use. I suppose that if I send them to the Commission, they will remain the permanent records of the Commission.

Judge McDONALD.—Mr. Spence is quite right in that respect. In the meantime the Commission would have them for reference. We can follow the rule that is usually followed in courts of justice. The Secretary will make copies of the letters, which he will endorse as such, and return the originals.

The CHAIRMAN.—The Secretary will give you a receipt for them, if you choose. I wish to repeat to you that if they contain anything of a private nature which you do not wish to come before this Commission—

Mr. SPENCE.—Nothing at all. I am quite willing the whole should go in.

The CHAIRMAN.—As it is, the Secretary will give you a receipt for the letters, and the Commission promise to give them back to you.\*

*By Rev. Dr. McLeod :*

16030½a. I want to be regarded as taking exception to the ruling of the Chair in this matter, for this reason : Mr. Spence has made a statement, and he presents as part of his evidence certain letters in substantiation of his statement. In my view, these letters ought to be part of the record without any reference to any future decision of the Commission. Mr. Spence offers them as evidence. Have you anything else to say about the results of Scott Act repeal?—The facts set out in the letters are the evidence I was about to submit on that point.

\*NOTE.—The Commissioners after considering the letters did not deem it necessary to publish them, and they were returned.



16031a. And all the evidence you wish to submit on that point? All the evidence I wish to submit.

16032a. I was about to ask you last evening concerning the result of prohibition in the North-west. Have you been there?—On different occasions—at least twice.

16033a. You were there with the Commission?—Yes.

16034a. Were you there before or since?—I have not been there since. I was in the North-west before the repeal of the prohibitory law.

16035a. Did you make some examination as to the effects of the prohibitory law in the Territories?—I was very much interested in the law. I spent a couple of months, I think, in the Territories, and while there I gave a good deal of my time and attention to an inquiry into the effects of the prohibitory law, and the conditions attending it.

16036a. What was the result of your observation and examination?—The result of my observation, generally speaking, was that the prohibition law, originally, was remarkably successful in preventing the importation and sale of liquor, and the resulting evils of intemperance that usually attend the sale of liquor. As the law came to be administered laxly, the good effect was lessened. When Lieutenant-Governor Royal went up there and practically broke down the law, as I think I may say, and that is the opinion of most persons who have investigated the subject, he practically transformed an intended prohibitory law into a lax and dangerous license law; as a result of which the evils of the liquor traffic became very great. I would like to submit a few facts in substantiation of that position.

16037a. We would be very glad to have them?—It is pretty well known, I presume, to every person, that originally there was prohibition in the North-west Territories. The law relating to the matter reads thus:—

“No intoxicating liquor or intoxicant shall be manufactured, compounded or made in the Territories except by the special permission of the Governor in Council; nor shall any intoxicating liquor or intoxicant be imported or sold, exchanged, traded or bartered, or had in possession therein except by special permission of the Lieutenant-Governor.”

The effectiveness of those clauses of the prohibitory law was great. In evidence of that, I may put in statements made by a great number of prominent officials. If you will allow me, I will read one quotation from a speech made by Sir Charles Tupper on the 29th July, 1880, at a complimentary breakfast given at the Westminster Hotel, in London. Sir Charles Tupper said:—

“Some years ago he had the honour of proposing to Parliament the most prohibitory law that was ever proposed in any country, and applying to a section of 2,500,000 miles in extent, called the North-west Territories. It was a measure for entire prohibition. There, he felt, was a favourable opportunity of dealing with the question on its merits, and without the difficulties involved by those enormous vested interests that in this country and every other country where the liquor traffic has been established, formed the great obstacle to success.”

Further on, in the same speech, he said:—

“It was the intention of the present Government and their probable successors to maintain the principle of prohibitory legislation throughout that country. To Irishmen, this part of the world offered a great inducement, for there was no need for them to be in conflict with any landlord. The Government would give to each person 160 acres of land such as had been described, free of cost. It might be asked: Do the people in the North-west Territories object to the absence of the privilege of being able to purchase intoxicating drinks? Not in the least; but, on the contrary, he was proud to know that when the proposition was made to annex a portion of the North-west Territories to Manitoba, where the liquor traffic existed, one of the strongest objections to the annexation was that it would deprive them of a prohibitory liquor law.”

*By Judge McDonald:*

16038a. Had the Canadian Pacific Railway been built in the Territories at the time that speech was delivered, in 1880; and, if so, how far?—I could not answer that question exactly from memory without referring to statistics. But, since your Honour has asked me that question, I may reply by stating—

16039a. I asked the simple question. If you do not know, say so?—I have answered that I have not the exact information here to tell you.

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*By Rev. Dr. McLeod :*

16040a. What further did you desire to say ?—I wished to say that the evidence goes to show that probably no other enterprise of the nature of the building of the Canadian Pacific Railway, was ever pushed through with so much absence of crime and intemperance, considering the number of men employed, as attended the construction of that undertaking ; and the men charged with the work have not hesitated to declare publicly their belief that it was the prohibitory law and its rigid enforcement in the North-west Territories that enabled the men employed on that work to accomplish these great results. Now, this condition of affairs existed for some time. Well, from 1883, and probably right on from the time of the enactment of that law until 1888, the law was interpreted by the Lieutenant-Governors as giving them authority—

Judge McDONALD :—Mr. Spence is simply giving a platform address. The Commission has already taken evidence in the North-west Territories, and we have got the statements of officials. What Mr. Spence saw in the North-west Territories is good evidence ; but a statement to us of what enactments were made, with this, that, and the other thing is not evidence.

The CHAIRMAN :—It occurs to me that what was done by the Lieutenant-Governors are matters of official record, at the disposal of the Commission, and it is unnecessary to put them in as evidence. If Mr. Spence has anything to say in respect of what he has seen up there, what he has gathered from personal observation, we will be glad to hear it. But I think he had better not read these long papers which are accessible to the Commission.

Rev. Dr. McLEOD :—I asked Mr. Spence what he knew about the results of prohibition in the North-west Territories, and as I understand it, he is telling this Commission what the results have been.

The CHAIRMAN :—But he is quoting official documents.

Rev. Dr. McLEOD :—He is giving information that he has in his possession. It does not make so much difference how it came into his possession, so long as it is information. I think we have not always confined witnesses to a statement of what they have beheld with their own eyes.

The CHAIRMAN :—I merely say it is unnecessary, considering that the information is to be had from official sources. It is burdening the record with matter that is not essential.

Rev. Dr. McLEOD :—What Mr. Spence is saying just now is not to be had from official sources, so far as I know.

Mr. SPENCE :—What I was about to say further is not to be had from official sources at all. It is the facts of the case to which I was myself a party. It was the action of the Governor that I was describing, and the action of the prohibitionists of the North-west and in this country in reference to it.

*By the Chairman :*

16041a. Were you personally present, or a party to it ?—I was personally a party to the protest against the condition of affairs I was describing. I wish to describe the condition of affairs against which I personally protested.

16042a. How does the fact of that protest affect the inquiry which this Commission is making ?—I want to show the Commission the evidence of the breaking down of the law, and the resulting increase of intemperance and crime. The facts regarding that have never been tabulated and laid before this Commission ; and I am very anxious, in the interest of a fair statement of the case, that the Commission should be seized of these facts, which I think they cannot obtain from other sources.

16043a. I should be very glad to hear you if you confine your statement to things which are within your knowledge, or in which you have taken part ?—I shall confine it entirely to things that are within my knowledge. I was stating that in 1883 and onwards the law was interpreted in the North-west Territories to mean that the Lieutenant-Governor had power to issue to persons who wished, liquor permits to bring it in, I read the Act, you will remember its wording ; but when Lieutenant-Governor Royal was ap-

pointed he gave a different interpretation to the law and was the first Lieutenant-Governor to interpret it as meaning that liquor might be imported into the North-west Territories for the purpose of sale. He accordingly altered the plan of importation for private purposes, by issuing permits for the importation of large quantities of strong drink that covered the bringing in and the sale. So that whereas, before there was no such thing as a legalized sale in the North-west Territories, from the time that Lieutenant-Governor Royal's administration began, the sale of liquor under permits was open and free. Now, I wish to give you a brief table, showing that the importation of liquor increased from 7,736½ gallons in 1883 to 153,670½ gallons in 1890. I will not read the whole table, but I will put it in the hands of the Secretary. I may, however, state that the convictions for crime in 1883 were 45, while in 1890, they had increased to 311. The increase in population in the North-west Territories between those periods, is stated by the census to have been 165 per cent; the increase of crime was 1,000 per cent. The table I wish to put in shows that the liquor traffic increased by enormous leaps, resulting in a vast increase of crime and drunkenness.

*By Judge McDonald :*

16044a. Are those official statistics?—They are compiled from the Government book; but there is no Government record that shows these facts put together as they are put together here.

Rev. Dr. McLEOD:—I understand that Mr. Spence puts this in as part of his evidence.

Mr. SPENCE:—The table is very short, I will read it:—

Year.	Gallons consumed.	Con- victions for crime.	Commitments for drunkenness.
1883.....	6,736½	45	
1884.....	9,908	39	
1885.....	9,758½	*123	
1886.....	20,564½	60	
1887.....	21,636	37	10
1888.....	+56,388	151	36
1889.....	151,639	232	41
1890.....	153,670½	311	48

\* Year of the Rebellion.

+ Year of the Royal regime.

*By the Chairman :*

16045a. What have you included in that table?—I have included the figures taken from a Return laid before Parliament, which was asked for at my request. In 1885 there was a sudden increase in convictions for crime from 39 in 1884, to 123. This was owing to the rebellion in the North-west Territories and the accompanying disorder. After that the number dropped again. When Lieutenant-Governor Royal's administration began, the number leaped from 37 to 151 and kept on rapidly increasing. There is no record of the commitment for drunkenness until 1887, which was the year previous to Governor Royal's appointment.

16046a. Can you tell us the number of convictions for offences against the liquor laws in 1881? I have a statistical table before me which shows they were 133?—That is just what might be expected, considering that was the time the law was being enforced.

16047a. In no year afterwards, down to 1891, had they exceeded 44?—I have here documents, that I suppose, under your ruling, it would hardly be permissible for me to put in.

16048a. I have allowed you to read these figures, but they are already, I think, before the Commission in official returns. I want to ask you for information concerning

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crime in 1881. According to a return put in there were nine convictions for drunkenness which, added to the 133 offences against the liquor laws, made 142 cases arising out of the liquor traffic. In 1891 there were 82 cases of drunkenness and 44 cases of offences against the liquor law, making a total of 126. What inference do you draw from those figures?—I would draw the inference that there were very few convictions for being drunk when there were many convictions for selling liquor in the one period; and there were many convictions for being drunk when there were few convictions for selling liquor in the other period, showing that the rigid enforcement of the law lessened drunkenness.

16049a. Would the fact that there were 133 convictions for offences against the liquor laws, show that there was no prosecution of offenders?—That was in 1881, when they were prosecuting them to make them desist from selling.

16050a. There must have been a great many offenders at that time?—Unfortunately I have no statistics for 1881. It is only in 1887 that we have returns of commitments for drunkenness. The figures in the table I have given you show that when they enforced the law, drunkenness was lessened; and when the law was relaxed, drunkenness increased.

16051a. The convictions show there were certainly a large number of offenders against the law, in 1881. Do you think they show the law was well enforced?—When the number of offences against the liquor law diminished, then the commitments increased for drunkenness. Against that breaking down of the law by Lieutenant-Governor Royal, a protest was made by the convened prohibitionists of the North-west Territories and they memorialized the Legislature of the North-west Territories to have a vote of the people taken. The legislation for the North-west Territories was largely done at that time by the Dominion Government, and the Legislature of the North-west Territories, by a very large vote, declared in favour of having a vote of the people taken. Not only was the Legislature anxious for a vote, but the people of the North-west Territories were anxious for a vote; and a large deputation waited upon the Dominion Government asking that a vote be taken upon the question of continuing the liquor law. That was refused, and the matter of dealing with the liquor traffic was turned over to the North-west Legislature. The North-west Legislature then had the power either to prohibit the liquor traffic or license it. To understand their action it is necessary to know the position in which the Members of the North-west Legislature had been placed. When the Lieutenant-Governor decided to issue these licenses to persons, for the sale of liquor, although a prohibitory law was in force all over the Territories, he took the plan of issuing certificates on the recommendation of the Member representing the locality in which the permit took effect. The result was that every Member of the Legislature became practically the recommender of a license, and instead of a prohibitory law, we had a loose licensing system under which the Lieutenant-Governor, through these Members, issued licenses, and the Members were made beneficiaries of those of their constituents who wanted to sell liquor. It gave the liquor traffic a political power.

16052a. You are making serious charges against others, and they are not matters which this Commission can investigate. I submit to you that it would be better to confine yourself simply to a statement of facts. The remarks you have just made contain a serious reflection upon the Members of the North-west Legislature. Whether they are correct or not, is no business of ours. We cannot investigate them, and I think we ought not to take such remarks as evidence before this Commission?—I submit to your Honour's ruling.

*Rev. Dr. McLeod:*

16053a. I suppose the statements you are making now, are leading up to something more direct?—The statements I am now making are facts which I consider led to the repeal of the prohibitory law in the North-west Territories.

*By the Chairman:*

16054a. Do you of your own knowledge know that the things which you have spoken of were done by Members of the North-west Legislature?—I do, of my own

knowledge, having conversed with the representatives of whom I speak. I went there with the deliberate intention of carefully inquiring into this whole matter.

16055a. Were you told by the Members that they had done that thing?—That they had done that thing.

16056a. And had become beneficiaries of those of their constituents who wanted to sell liquor?—That they had recommended different individuals in their constituencies to the Lieutenant-Governor to get permits authorizing them to sell liquor. That, I say, made, not the Member of the Legislature the beneficiary of the liquor seller, but the liquor seller the beneficiary of the Member of the Legislature. Therefore, the Member of the Legislature, in return, would naturally receive the report of the liquor sellers.

16057a. You are speaking of political support?—I am speaking of political support. When the matter was laid before the Legislature of the North-west Territories they promptly repealed the law that placed them in that position.

16058a. You include, practically, the whole Legislature? Now, do you mean to do that? If you have an individual case, without mentioning names, which you wish to put on record, I should be disposed to hear you; but, to include a whole Legislature, in a charge of that kind, is a pretty serious matter, and ought not to be indulged in lightly, nor ought this Commission to hear statements of that kind?—From what I could learn, there were not more than three or four Members of the North-west Legislature who refused to make these recommendations.

16059a. You did not see them all—you did not receive statements from them all, did you?—I did not. But I am making this statement as of my own knowledge. I was in the constituencies of nearly all these legislators. In those constituencies, the sale of liquor went on; the recommendation of the Member was an essential to inaugurating that sale; therefore, I infer that the legislator made that recommendation.

16060a. You must not infer anything. Merely state facts?—Then I state the fact that the Lieutenant-Governor of the North-west Territories announced that he would issue permits upon the recommendation of the legislators, and permits were then issued in the constituencies of those legislators.

16061a. That is proper evidence?—When the legislators got hold of this matter and had an opportunity to deal with it, they promptly abolished that system, which, to those of them with whom I had the privilege of conversing, was specially obnoxious. They did not want to offend their constituents by refusing to grant them the recommendation, and they did not like to commit injury to the community by helping to procure the issue of the permits. They were glad to replace that system by a license law which took away from them the disagreeable responsibility they had been under.

*By Judge McDonald:*

16062a. How can you possibly know what was in the minds of the legislators?—I have just said that the Members with whom I conversed, made the statement which I repeat to you.

16063a. That was their view, those with whom you conversed?—That is what I said.

16064a. With how many of those men did you converse?—All I came in contact with.

16065a. How many?—I could not say.

16066a. Did you converse with one-third?—I think so. I would say one-third.

16067a. And those all told you that was their reason for enacting a license law?—Generally speaking. A number of them made that statement, and a number of other persons who were intimate with them, made the statement. Now, that law was repealed—repealed without the people being given an opportunity, as they desired, of expressing an opinion upon it. I would say repealed, from all indications, against the will of the people, and the result was a vast increase of intemperance and the immorality that results from an increase in the sale of liquor.

16068a. The people of the Territories have the same opportunities of expressing their wishes as all other people have? No answer.

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*By Rev. Dr. McLeod :*

16069a. Did they express their wishes?—The people petitioned — memorialized the Government for the privilege of taking a vote. They did not have the vote taken.

*By the Chairman :*

16070a. Who do you consider the people—do you mean the whole of the electors? —The whole of the electors did not petition.

16071a. Then you spoke in a way that conveys a wrong impression. A certain section of the people petitioned, and their petition, you say, was not complied with. But have not the people of the North-west Territories precisely the same opportunities of making their views heard as the people in other portions of the Dominion—they have their regular representatives, and they have responsible Government?—I will answer the first part of your question by saying : yes, a small section of the people memorialized the Government at Ottawa to have this vote taken. The Legislature, representing the whole people, declared themselves in favour of having this vote taken. That was not granted them by the Government at Ottawa. The question of prohibition could not come before the people of the North-west Territories in the same way that it comes up in other communities, for this reason, that the elections that terminated, practically, the condition of affairs of which I have spoken, was an election that turned upon a burning issue in the North-west Territories at that time, and which superseded the consideration of the question that I speak of.

16072a. But has any general election turned upon the question of prohibition anywhere in the Dominion?—I do not know that it has. It has in isolated cases.

16073a. Then they were just in the same position. There was an overshadowing question at that time in which the people were more interested than they were in the question of prohibition. In that respect they did not differ from other people in other portions of the Dominion?—I was saying that was the reason why they did not elect a Legislature upon the issue of the prohibition of the liquor traffic.

16074a. Would it necessarily have followed that if there had been a special vote on the question largely in favour of prohibition, the Legislature after the next election would have consisted of Members largely in favour of prohibition?—I do not think it would have altered the complexion of the Legislature. Of course, I am speaking now hypothetically. I would like to answer your question by saying that what I wanted to get at was this fact, that the liquor traffic was, through the maladministration of the Government, opened up in a community that expected to be kept free from it. The safeguards of a prohibitory law were broken down, and the resulting debauchery took place,

*By Rev. Dr. McLeod :*

16075a. In what did the breaking down of the law result?—It resulted in creating a feeling of disgust in the community, and especially among the Members of the Legislature, that led to the repeal of the law that, when enforced, was remarkably beneficial to the moral welfare of the community.

*By the Chairman :*

16076a. That is not evidence, because you do not know that of your own knowledge. Can you possibly know that a feeling of disgust pervaded the minds of all Members of the Legislature?—I have not said so.

16077a. The Legislature, you said. Surely that includes all.

Judge McDONALD :—I do not wish to interfere with Mr. Spence, but it seems to me that for the last half hour he has been making what would be a platform speech upon prohibition, instead of giving us facts.

Mr. SPENCE :—I have been endeavouring to answer the question put to me.

Judge McDONALD :—You have been making statements with which are interlarded observations, and sometimes inferences.

Mr. SPENCE :—I have not intended to make a platform speech in the interest of prohibition, but I have answered honestly and candidly the questions asked me by this Royal Commission.

The CHAIRMAN :—I accept that statement, but at the same time you will pardon me if I say—I do not mean any offence—that you have been very discursive.

Mr. SPENCE :—As the questioning has led me, I have been trying to follow.

Rev. Dr. McLEOD :—I asked Mr. Spence to give, from his own knowledge, the history of the repeal movement in the North-west Territory, and as I understand him, he has been giving it in as lucid and as concise a manner as possible.

THE CHAIRMAN :—Unfortunately with remarks which are really reflections upon others. Now, I do not think we are here to take evidence in that direction. It is possible for Mr. Spence to state exactly what, in his mind, are the reasons why the prohibitive system was broken or broke down in the North-west, without imputing motives to any one, and without condemning the whole of the Members of the Legislature.

Mr. SPENCE :—Which I did not propose to do. I have been endeavouring to state facts, and if the facts reflect upon persons, I cannot be responsible for that.

The CHAIRMAN :—I would call your attention to the last occasion on which I most unwillingly interrupted you. You were speaking of the Legislature and their disgust. Now, it is not possible that you could know, it seems to me, that the whole of the Members of the Legislature were disgusted. If you will speak of some particular case, you may do so. I would rather you would not mention names, because that might lead to trouble. But when you use terms which include the whole Legislature, and speak of them as if you had personal knowledge, I am obliged to ask you if you have personal knowledge. If you have not personal knowledge then you are stating something which is not evidence.

*By Rev. Dr. McLeod :*

16078a. Are there any other facts you wish to state along that line?—I would like to submit facts which, to my mind, demonstrate that the repeal of that badly enforced prohibitory law, resulted in a condition of affairs that was very much worse than the condition under even badly enforced prohibition.

16079a. What are facts supporting that view?—I had the pleasure of accompanying the Commission in their investigation through the North-west Territories. I travelled over the same ground that I had travelled over previously, my observation carefully made, was that intemperance was more glaring and more manifest than it was before the law was repealed. The Commission themselves had evidence of this in the witnesses that were called before them.

The CHAIRMAN :—Please do not refer to that. The evidence the Commissioners took is in their possession, it is on record.

Mr. SPENCE :—I beg your pardon. When a high official of the North-west Territories appears before the Royal Commission so drunk as to be unable to answer the questions asked, that does not appear in the evidence.

The CHAIRMAN :—The Commission, I suppose, had the same opportunities of seeing as you had.

Mr. SPENCE :—They had, but they have not got this evidence in writing.

The CHAIRMAN :—I do not think you should refer to the evidence taken by the Commission at the present moment.

Rev. Dr. McLEOD :—It is a fact that you wish to put in evidence now, is it not?

Mr. SPENCE :—The fact of the increased intemperance in that Territory. If I am not interfering with the evidence you have taken there, I would like to submit some statements from the report of the Commissioner of the North-west Mounted Police for 1892, issued subsequently to the visit of the Commission to the North-west Territories, and bearing out what I said, that the repeal of the law led to a great increase of intemperance.

Rev. Dr. McLEOD :—Will you let us have that, please.

The CHAIRMAN :—That is an official document.

Mr. SPENCE :—Yes.

The CHAIRMAN :—Then you need only refer to it; we can get it. It is useless to load up the evidence with quotations from official documents which are at the disposal of the Commission. Mention the document, and where it is to be found.

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Mr. SPENCE :—The official is Commissioner Herchmer, of the North-west Mounted Police, who, in his annual report, on page 3, speaks of the increase of the consumption of liquor and the increased evil resulting from it. If I may only just refer to the document, that is all I want to say in that connection.

Rev. Dr. McLEOD :—Is the paragraph long? Commissioner Herchmer was sworn as a witness before the Commission, was he not, in your hearing?

Mr. SPENCE :—I suppose I am to state facts that are not in the record. That is in the record.

Rev. Dr. McLEOD :—Is it a fact that you were present and heard Commissioner Herchmer give evidence before this Commission.

Mr. SPENCE :—I was present when he gave evidence at Prince Albert.

Rev. Dr. McLEOD :—So that his evidence is before the Commission, and this document is not a part of his evidence.

The CHAIRMAN :—It is only necessary to refer to it.

Rev. Dr. McLEOD :—Will you state the date of the report, the name of the official, the page and the paragraph, with the first word and the last word that you want quoted, and we will have that in.

Mr. SPENCE :—The report is the annual report of Commissioner L. W. Herchmer, of the North-west Mounted Police, dated at the office of the Commissioner in Regina, December 19th, 1892, on page 2 of that report.

Rev. Dr. McLEOD :—I would like to have it quoted.

Judge McDONALD :—If any goes upon the shorthand writer's notes, all should go. Then the whole statement is there, not merely a quotation from it.

Rev. Dr. McLEOD :—If Mr. Spence wants it quoted, there cannot be any objection to saying he wants it quoted.

Mr. SPENCE :—I would like to put it in as evidence.

Rev. Dr. McLEOD :—Then it is for the Commission to say whether he can quote it or not.

The CHAIRMAN :—He desires to refer to a public document, he can refer to the date of it and refer to the paragraph, and we can get it.

Mr. SPENCE :—I would like to see this one paragraph entered.

The CHAIRMAN :—I cannot consent to have it entered on the minutes.

Rev. Dr. McLEOD :—Why not?

The CHAIRMAN :—Simply because it is unnecessarily extending the evidence, and adding to the expense of the inquiry.

Judge McDONALD :—I object also to its being entered upon the record. It is a well known legal principle that if you enter any part of the document on the record you must enter the whole, as a simple paragraph might be misleading unless accompanied by the whole document.

Rev. Dr. McLEOD :—I take a different view of the question, for the reason it has not been heretofore a rule with this Commission to object to quotations from public documents being put in evidence. As to prolonging the evidence, it is simply a paragraph, and it is essential to the completeness of Mr. Spence's testimony. I think it is not only permissible but highly desirable that it should be included in the statement that he makes.

The CHAIRMAN :—I do not think it is essential for the reason that the document is accessible to the Commissioners.

Rev. Dr. McLEOD :—It is not a rule that has been insisted on in all cases hitherto.

The CHAIRMAN :—Mr. Spence may state the inference he wishes to draw from the report. If he desires to enforce arguments of his own by reference to any section, he can state what it is.

Mr. SPENCE :—As you are not going to have it recorded, perhaps you will allow me to read this one paragraph.

The CHAIRMAN :—You may read the paragraph, but it is not to go on the record as evidence.

Mr. SPENCE :—(Reads the paragraph.) The report goes on to show that a great deal more liquor is consumed.



The CHAIRMAN.—Are you quoting that to show that there is more liquor consumed now under the license system than there was under the permit system?

Mr. SPENCE.—To show that fact and the intemperance resulting therefrom.

Rev. Mr. McLEOD.—You desire to have this included in your testimony.

Mr. SPENCE.—I would like to have these paragraphs included in my testimony.

The CHAIRMAN.—That question is disposed of. We know where they are.

Mr. SPENCE.—I may say that that book has reports from subordinate officers which bear out the evidence of the Commissioner-in-Chief.

*By Rev. Dr. McLeod :*

16080a. Have you any other facts bearing upon the effects of the repeal in the North-west, which you would like to state?—I think I have nothing that would not be, perhaps, in the form of documents.

16081a. Official documents?—Yes, and other matters relating to the condition of affairs under the old law, and under the new system that followed its practical breaking down, while Lieutenant-Governor Royal was in power.

16082a. I read in the morning paper a London despatch dated November 2nd, which reported General Sir Frederick Middleton to have written an article in "Blackwood," in which he said :

"I followed the example of General Wolsely in the North-west Rebellion, and allowed no stimulants to be served out to either men or officers."

16083a. During your North-west tours, did you learn anything concerning the effect of that prohibition during the rebellion?—I have not had any opportunity in that direction beyond the evidence I heard presented through the Commission. I have evidence of the evil effects that resulted from the sale of liquor under the canteen system to the Mounted Police at their different posts, and which resulted in a sad interference with the discipline of the force. I find that evidence in these reports of the Police Department.

16083½a. I would like to ask a question about Toronto. Have you any means of knowing the feeling of the churches at large in Toronto on the prohibition question—not referring to any particular denomination?—Well, from my knowledge of representative clergymen, in this city of different denominations, and other active church members, I think I will be safe in saying that I believe the Christian churches of this city on the whole are very much in favour of the prohibition of the liquor traffic, and we expect to manifest that Christian sentiment in a very heavy vote in favour of prohibition on the first of next January. I might say in that connection that I think the most of the clergy of the city of Toronto, if questioned, would express a strong favour for the principle of prohibition.

16084a. I asked the question because, so far as my recollection goes, the majority of the clergymen who have been heard before the Commission in Toronto, took ground against prohibition, and I wondered whether they represented the majority of all the clergymen in the city of Toronto?—I think any one who has followed the evidence would know very well that the clergymen who have given evidence before this Commission, are the clergymen who might be selected as not likely, with some exceptions, perhaps, at all to represent the views of the Christian churches of this community on this question.

16085a. I would also like to ask about the attitude of the medical profession on this question. We have had before us, if I remember right, three doctors, Dr. Thorburn, Dr. Aikens, and Dr. Richardson. Do you think they would represent the medical sentiment of Toronto on this question? I do not know whether you have any means of knowing.

Judge McDONALD :—I protest against Mr. Spence being called to prove what is the mind of the clergy of Toronto, what is the mind of the doctors of Toronto, and so forth. These men must speak for themselves.

Rev. Dr. McLEOD :—I think it is quite proper to ask Mr. Spence, or anybody else, whether he thinks the gentlemen who have been examined represent the general sentiment of their profession on this question, so far as he is able to form an opinion.

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The CHAIRMAN :—Mr. Spence may think that these are not leading physicians, and that they do not represent the mind of the medical profession. But that is only a matter of opinion, and some other witness might be brought forward in equally good standing with Mr. Spence in this community, to say that Mr. Spence was wrong, and what advantage will the Commission derive from that class of evidence? How will it assist them in making their report?

Rev. Dr. McLEOD :—If you will be patient until I get through with my question, I think you will see that I am not asking for vague opinions, I am asking for facts. I asked Mr. Spence if he has had any means of knowing the opinions of the majority of the physicians of this city on this question?—In reply to your question I may say, that some time ago I took the trouble to frame four questions in reference to the attitude of medical men upon the temperance and prohibition questions. I sent these four questions to every medical man in the city of Toronto, and I got replies from 92 of them, including, I think, the leading physicians in the city of Toronto. I have under my hand a copy of the questions I asked and the replies made by 92 medical men of the city of Toronto. I would like very much to read the questions that I asked, to sum up what their answers were, and to place it in evidence.

16086a. What were the questions?

The CHAIRMAN :—I do not think that is essential, for the reason that the Commission has addressed the medical profession throughout the country, and we have got the replies of the medical profession. Whether the physicians of Toronto may be of one mind or another is not very material as evidence for this Commission, because we have the replies of the medical profession generally throughout the province. I think it is unnecessary to go into that further.

Rev. Dr. McLEOD :—Not every physician who has come before us has been questioned along this line.

The CHAIRMAN :—Every physician who may come before us could be questioned in the same way, I presume, if any of the Commissioners deemed it desirable.

Rev. Dr. McLEOD :—Have you the originals of their answers?

Mr. SPENCE :—I have the questions and answers here. May I read the questions, Mr. Chairman?

The CHAIRMAN :—No.

Rev. Dr. McLEOD :—I would like to hear the questions, but if the other two Commissioners say no, I shall have to submit.

The CHAIRMAN :—I rule that it is not necessary to go further into the matter.

Rev. Dr. McLEOD :—I dissent from that ruling. I would like to ask Mr. Spence another question. The statement is often made that the *per capita* consumption of liquor in Canada is small as compared with the *per capita* consumption of liquor in other countries. To what do you attribute that?—I would attribute it largely to the more advanced temperance sentiment of this country, and to the greater area of prohibitory territory. In my evidence yesterday afternoon, I referred to the large extent of Canada that was practically under prohibition. I think that helps to reduce largely the *per capita* consumption.

16087a. Failing a prohibitory law, are you satisfied with the license law of Ontario as it is operated?—I am sorry to have to say that it strikes me that the license law of Ontario is a very defective piece of legislation. In a great many particulars, it ought to be brought up to the very much higher standard of the other provinces.

16088a. In what respect?—I might mention, if you wish, some of the matters in which I think the law should be altered.

16089a. I ask for this reason, that a great many people, prohibitionists amongst others, have expressed their approval of the license law as a license law, and I think they have got the impression that it is an approach to perfection as a license law. If there are defects in it I think the Commission would be glad to know what they are?—I would like to have the license law so amended that, as in the Province of Quebec, for example, a majority of the electors in a polling subdivision should have the right to prevent the issue of a license in that polling subdivision at any time. As the law now stands every elector in a polling subdivision may be opposed to the existence of a

licensed place in it, yet the License Commissioners may give a license for that subdivision.

*By Judge McDonald :*

16090a. Can they issue any new license where the majority of the electors are against it?—The law requires a majority to petition in favour of the issue of a new license. Once the license is issued, then there is no authority in the law giving anybody power to abolish it, which is contrary to the law in a number of other provinces. That license may be renewed from year to year without another petition being required in its favour. I would like to have the law so changed that it would prohibit the sale of liquor to minors.

*By Rev. Dr. McLeod :*

16091a. We have all been given to understand that that is a strong feature of the law?—The license law now—I need not refer you to the section—prohibits the sale of liquor to persons apparently under 18 years of age. Some of the States and other provinces of Canada prohibit the sale of liquor to persons under 21 years of age. In the Ontario license law the penalties for selling to a child are merely nominal, in case the offender is a licensee, he is fined from \$10 to \$20. We ought to have a law prohibiting the sale of liquor to persons under 21 years of age, with a heavy penalty. We ought to have a law prohibiting the sale of liquor to drunkards, which we have not. We ought to have a law fixing a limit upon the number of licenses that may be issued in any locality. We only have such a law relating to some particular municipalities, it does not apply to all of them.

*By the Chairman :*

16092a. What are the exceptions?—The law, as it is now, provides that the number of tavern licenses shall be limited to a certain number according to population, in cities, towns and incorporated villages; whereas, the License Commissioners in rural places are at liberty to issue as many licenses as they like. I would like to see a law passed by which all hotels would be licensed, that is to say, whether they are allowed to sell liquor or not, so as to make them public houses. The places where liquor is illicitly sold, are generally eating-houses, and in some places so called temperance hotels, that are not subject to any inspection. If they were made public houses as in the province of Quebec, as the Chairman will know, they could be examined; and then if they held under the law this privilege of entertaining the public, they would not be allowed to lock up their doors and windows in certain cases, and thereby cause annoyance to the travelling public. It would be a decided advantage, I think, if the requirements for a license referred to all intoxicating liquors instead of exempting native wines and cider which are known to produce intoxication. It would be a decided advantage if medical certificates were required in the case of the sale of liquor by druggists. Every druggist in the town is at liberty to sell all the liquor he likes without any medical certificate, provided it is in small quantities, under six ounces. I would like to see the law so amended that people who have licenses would be required to keep their bars closed Saturday nights and Sundays during prohibited hours, and not allowed to leave them open as they are in certain localities. I would like to see a law that would prevent a municipality from having any share of the license fee, and turning it all over to the Provincial Treasury, thereby taking away the inducement to municipalities to continue the liquor traffic. I would like to see adequate penalties for violations of the law by licensees. All the heavy penalties of the law now are imposed upon people who sell liquor without a license, while the man who takes a license practically gets immunity to violate the law, because he is under a merely nominal penalty for any breach of the law that a licensee is likely to commit. I think it would be a great advantage if the police had power, when they raid places that are known to be illicit liquor dives, to arrest the people there and carry them away, to seize the liquor and carry it away. At present, they are badly hampered in this respect, as we know, in the city of Toronto. They find a place where people are selling liquor, and they can

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simply take the names of those whom they find there, and go away. I would like to see all the tavern-keepers under bonds to obey the law. They are now placed under bonds which are never exacted except when they happen to incur a fine. The bonds ought to be forfeited by the bondsmen when it is found that a licensee has repeatedly violated the law.

*By Judge McDonald :*

16093a. Have you considered the question that has been mentioned by some witnesses, as to whether, after several convictions, it would be well to withdraw the license from the premises?—I think it would be a great advantage if, upon a second conviction for the breach of the law, both the building and the licensee were disqualified, and the license forfeited for that person and that place.

16094a. Do you know whether legislation of that kind has been proposed at any time?—I could not say. There is another point. I do not know whether it would come into the license law as an amendment, but I would like to see a law that would provide very different treatment for inebriates from that they now receive. The present system is absolutely useless as a means of reformation.

*By the Chairman :*

16095a. How would you have them treated?—In an inquiry made some time ago by the Ontario Government through a Commission, a plan was suggested by one of the Commissioners, which at the time, struck me very forcibly as being desirable and practical. It was this, that when a man was convicted of drunkenness for a second or third time, instead of sending him to jail, the Government should have in some place outside cities and towns, a farm of three hundred or four hundred acres, and a strong building in which to detain these people and keep them under surveillance. They should be kept at work out of doors, and, during the inclement weather, work should be provided for them indoors. Keep them busy and under restraint. When a man is convicted of the third offence for drunkenness, let him be sent to this place for a term of not less than six months, to enable him to recuperate; in case of a lapse, commit him for 12 months, and so on, increasing the terms up to two years. Persons who are so inclined should be allowed to commit themselves voluntarily to such an institution, and the friends of confirmed inebriates should be allowed to send them there likewise. The place to be considered not so much as a penal institution as an industrial reformatory; not a jail but an asylum.

*By Rev. Dr. McLeod :*

16096a. Supported how?—I suppose the Government would have to provide the funds for its support. But if carried on according to the plan I have outlined, it would likely be self supporting. In the case of individuals who are committed by their friends, or who commit themselves voluntarily, they might contribute to their support.

*By the Chairman :*

16097a. What would you do in the case of a man committed who had a family to provide for?—I think it would be very desirable that the results of his labour upon this industrial farm should be appropriated for the benefit of his family.

The CHAIRMAN.—I have a great many questions to ask you. You have told us already that you are engaged to go out of town, and as there are other witnesses waiting to give evidence before this Commission, I shall postpone putting these questions to you until some future occasion, when I will take care that you are summoned before the Commission. I think it probable that the questions I have to put to you would occupy another hour or more.

JOHN DOUGLAS ARMOUR, Chief Justice of Ontario, on being duly sworn, deposed as follows :—

*By the Chairman :*

16098a. You are Chief Justice of which court ?—Of the Queen's Bench Division of the High Court.

*By Judge McDonald :*

16099a. How long have you held that office ?—It is sixteen years this month since I was appointed to the Bench. I have been Chief Justice of that division for some years.

16100a. Before you were appointed to the Bench, where did you practice law ?—In Cobourg.

16101a. Were you County Crown Attorney there ?—I was, from 1856 down.

16102a. As such you had charge of the local criminal prosecutions ?—Yes.

16103a. Was your attention called to them sufficiently to enable you to say whether drunkenness had much to do with the commission of crime in that section of country ?—I do not think that drinking intoxicating liquors makes a man a criminal any more than eating oatmeal makes a man a Presbyterian. I do not think it is what a man eats or drinks that forms his character, I believe that the use of intoxicating liquors to excess is injurious to a man, physically and mentally. It induces him to be idle and good-for-nothing, and thus brings him among associates who are, perhaps, criminals. But the true source of criminality, to a large extent, is idleness, aversion to work. That is my view.

16104a. Is that your view from your experience both at the Bar and on the Bench ?—From my experience in every way.

16105a. Have you had any experience of the working of a prohibitory law of any kind ?—I have had some experience of the Dunkin Act, and afterwards of the Scott Act. I was County Attorney at the time the Dunkin Act was in force. I think the town of Haldimand in the County of Northumberland was the first township that adopted the Dunkin Act, and adopted it by a very large majority. I think it was in force some two years, and the persons who were most instrumental in getting it passed, were those who petitioned to get it repealed. It was found impossible to enforce the provisions of the Act. I know in appeals that came before the quarter sessions at that time when I was employed in supporting convictions, it was extremely difficult to get really active temperance men to be witnesses in support of any conviction. There seemed to be a repugnance on the part of, even extreme, temperance men to be mixed up in any prosecutions under the Dunkin Act. When you applied to them to come forward as witnesses, they wanted to be let off, they did not want to be mixed up in it, and they did not know anything about it. When they were put in the witness box they gave their evidence in that half hearted fashion that did not carry conviction ; the result was that the temperance people who had been instrumental in getting the Dunkin Act passed, were the foremost in getting it repealed. The Scott Act was in force in the counties for some time, but it was not carried out, and it was repealed, I think.

16106a. Have you had experience of the working of a prohibitory law in any other country than Canada ?—No, except from my reading.

16107a. Do you yourself favour the enactment of a prohibitory law for the Dominion, prohibiting the manufacture, importation and sale of liquor for beverage purposes ?—I would be in favour of it if it could be carried out. I think that intoxicating liquor is bad for the human system. It injures men mentally and physically who use it to excess. For my part I would like to see it banished for ever, but I do not think that a prohibitory law would have that effect, because I do not think it could be enforced.

16108a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for their plant and machinery that would be rendered useless ?—No, I do not think any person should be remunerated on account

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of any change in the law. We are all subject to changes in the law. We occupy our positions as citizens of a country where the laws are subject to changeability. Now, if you compensate every man who may be injured by change in the law, you should compensate me for any injury I might suffer from a change in the tariff law.

16109a. Do you put the tariff law on the same footing as a prohibitory law, or upon the same footing as a license law that regulates the traffic?—As I say, we hold our position as citizens subject to the changeability of all laws.

16110a. Have you noticed in any community what the effect is upon the moral conscience of the people of having laws upon the Statute-book which are not observed?—It is very difficult to enforce any law which is not regarded by a majority of the people as prohibiting an offence which is considered to be bad in itself. Take the game laws, for example, it is impossible to enforce them. The laws against killing insectivorous birds, the laws requiring the cutting down of thistles—laws of this character are almost impossible of enforcement, and it requires a standing army to enforce the most of them unless a large majority of the community are in favour of them. If the majority of the sense of the community is opposed to something as being bad in itself, then the law is easily enforced.

16111a. When you were at the Bar engaged in liquor prosecutions, did you find a great deal of false swearing?—It has been my experience, both at the Bar and on the Bench, when sometimes we have had to review convictions upon the evidence before us, that it is impossible to get people to tell the truth about what they have been drinking.

*By Rev. Dr. McLeod :*

16112a. Is that true both in cases for violations of the license law and in cases for violations of a prohibitory law?—I think it pertains as much to one as to the other. I think in license cases where a man is selling in prohibited hours, this difficulty is especially great. Of course, the more a law is set at nought the more people are induced to set all law at nought.

*By the Chairman :*

16113a. Is there any statement on the subject of this inquiry which you would like to make to the Commission, aside from what you have already said?—A good deal has been said about the inefficiency of the license law. It is very difficult to frame a license law without provisions in it that are more fit for Russia than for this country. A great many provisions of the Scott Act and of the Dunkin Act, were very arbitrary, and were necessarily arbitrary, because you could not begin to enforce the law without arbitrary provisions.

16114a. Have you been in the State of Maine at all?—Yes, a good while ago. Of course, these experiments have been tried in Connecticut, Maine, Kansas and Iowa. I think the prohibitory law works well enough in the country districts where there is practically no need of a tavern at all, and where a country tavern selling liquor is only an evil. But in cities and towns I think it is hopeless to attempt to carry out a prohibitory law.

JOHN C. SNELL, Farmer, Brampton, Peel County, on being duly sworn, deposed as follows:—

*By the Chairman :*

16115a. Have you always been a farmer?—Yes, sir, all my life. I am now farming near Brampton.

16116a. What sized farm are you cultivating at present?—Two hundred acres.

16117a. Are you producing grain, or are you feeding stock, or both?—Feeding stock, principally. I produce grain sufficient for the feeding of my stock, and I sell some grain.

16118a. Do you grow barley at all?—No.

16119a. What do you grow principally?—Pease and oats, and some wheat.

16120a. The pease and oats you feed to your cattle?—Yes.

16121a. The wheat, I suppose, you send to market?—Yes, we market the wheat.

16122a. I was under the impression that you were growing barley. Is there much barley grown in your neighbourhood?—Yes, a good deal. It is one of the counties where there is more barley grown, I think, than in most counties of the province.

16123a. The price at present is low?—Very low.

16124a. Is that to be attributed in part to the high tariff in the States?—I think so, in part.

16125a. Is there any considerable shipment at present to England?—No, I do not think so.

16126a. A large amount of barley is used at present by the brewers and maltsters of the Dominion. I suppose if we had a law prohibiting the manufacture and sale of all intoxicants for beverage purposes, the brewers and maltsters would cease, of course, to require barley, at any rate, to a very large extent. Do you think that that would affect the price very materially?—Well, the price is so low at present that there is not much inducement to grow barley anyhow. I notice that our farmers are growing very much less than they did a few years ago. One reason, I suppose, is because of the lower price of barley; but another reason is that our farmers are changing their methods of farming in this province. They are finding out that it is difficult to compete with the North-west in raising grain, and the prices are so low, that it is not profitable to raise grain.

16127a. Would that apply to barley?—It would apply to wheat more particularly. But the farmers are turning their attention to stock raising and dairying, as being a more profitable branch of farming.

16128a. Do you think it would be likely to affect the price of barley if the brewers and maltsters ceased to use it in the making of malt liquors?—I suppose it would.

16129a. Are barley soils, as a rule, adapted for the production of other grain?—Quite well adapted.

16130a. What other grain do you think could be grown in place of barley?—Oats and pease particularly, and wheat.

16131a. Would the barley soils produce wheat?—Yes.

16132a. But they would not produce it in competition with the North-west, I suppose?—Not profitably, because it costs more to produce it here.

16133a. Would oats and pease be as profitable a crop to the farmer as barley?—I think they are quite as profitable, and more so at present prices.

16134a. Is there always a demand for oats and pease?—I think there is.

16135a. Would the farmer have to keep stock in order to utilize his production?—There is a good market for both oats and pease now. I think there would be, as a rule.

16136a. Now, a general question. Do you think that the cutting off of the market for barley for stopping its manufacture into malt liquors, would inflict a serious loss upon the farmers of Canada?—No, I do not think it would be a serious loss, because it is only in some localities that barley is depended upon as a leading crop. Our land that has been sown from year to year, is not producing nearly as much crops as it used to a few years ago. We do not get nearly as much yield as we did a few years ago.

JOHN C. SNELL.

16137a. Is that owing to the exhausting character of the crop?—I think so. When there was a good price for barley, our farmers turned their attention almost entirely to that, and cropped and cropped with barley until the elements of the soil that produced that crop to advantage, became exhausted, and the consequence is that they do not get nearly as large crops as they did a few years ago. Another disadvantage is that the straw from barley amounts to very little in the production of manure; so that there is not nearly as much manure to go back to the farm as there is from the straw of other crops. When our farmers are growing barley largely, they keep very little stock to feed, so that they produce very little manure to keep up the fertility of the farm.

16138a. There seems to be somewhere between 1,300,000 and 1,500,000 bushels of barley used annually in Canada for brewing purposes. Do you remember what proportion that is of the total crop?—I do not.

16139a. Are there any hops produced in your district?—None in our district.

16140a. Have you had any experience in the growing of hops?—Not any.

16141a. I understand that in the County of Essex and throughout that district, there is a considerable quantity of Indian corn produced now, which is used in distilleries. Is that so?—I know there is a considerable quantity raised, but whether it is used for that purpose, I do not know. I know in those sections where they raise corn, they feed a great many hogs.

16142a. Distillers use a very large quantity of Indian corn for the making of whisky; doubtless the greater portion of it comes from the United States?—Yes.

16143a. Still there is a considerable quantity now grown in the western peninsula. I suppose the discontinuance of the home market for that corn would affect the price?—I suppose it would.

16144a. But not, perhaps, so much as in the case of barley?—No; I should think not.

16145a. Corn is more used for feeding, is it not?—More generally used for feeding. Barley is being more used for feeding now than it was a few years ago, since the prices have gone down and the farmers have found that it is more profitable to feed barley to fatten hogs.

16146a. Do you think it is equal to pease and oats?—No; I do not. Still, it is very good.

16147a. What is the price of barley at present?—About 45 cents.

16148a. What is the price of oats?—35 to 38 cents.

16149a. It would be rather a serious matter for the farmers if the price of barley was reduced to the price of oats, if oats is the better article for feeding, supposing malt-ing should be discontinued. There is no reason why barley should be kept at 45 cents, is there?—You can grow a good many more bushels of oats to the acre than you can of barley.

16150a. How much?—Oats will average about forty-five bushels to the acre, and barley not more than thirty, in these days.

16151a. Is 35 cents a good price for oats?—It is a good price, and they get sometimes 40 or 50 cents.

16152a. Is there much rye grown in your district?—There is not much rye grown in this country, and none grown in my county.

16153a. Have you had any experience of that crop at all?—No.

*By Judge McDonald :*

16154a. You yourself are a large raiser of stock and have been for many years?—Yes.

16155a. Did you say that oats and pease are the grains that you principally feed at present?—Yes.



BISHOP T. W. CAMPBELL, Reformed Episcopal Church of Canada, on being duly sworn deposed as follows :—

*By Rev. Dr. McLeod :*

16156a. You live in Toronto ?—Yes.

16157a. One of the things we desire from you is, so far as you are able to tell us, the attitude of your church towards the liquor traffic. Has it made some formal deliverances on that subject ?—Yes. The general council of our church has passed a very strong resolution in favour of temperance and prohibition.

16158a. Have you that with you ?—I have not. I will furnish the Commission with a certified copy of it. (Appendix IX.)

*By the Chairman :*

16159a. Perhaps you will state the nature of the resolution in general terms, as it will help us in the examination ?—I do not remember the exact terms. It is a strong resolution in favour of the prohibition of the traffic in strong drinks.

*By Rev. Dr. McLeod :*

16160a. As the chief pastor of the church, you personally endorse that position ?—I do, as generally understood. Of course, there may be diversity of opinions in matters of detail.

16161a. From your experience in mingling with people of all classes and conditions, and under all circumstances, have you observed whether the drink traffic as carried on is responsible for any degree of the domestic miseries that are more or less prevalent ?—Decidedly. A large proportion of the wretchedness and misery that we meet in our pastoral work, is caused by drink—not all of it, but a large proportion.

16162a. And the poverty ?—With regard to poverty, we find that when respectable and sober people get into difficulties and we can assist them over that particular time of trouble, in a large majority of cases that is the last of it. But where the poverty is produced by drink, no matter what assistance we give, it has to be continually repeated. All my experience as a pastor in the city with regard to the poor, is that the secondary cause, at least, of a large proportion of the poverty, is the use of strong drink.

16163a. You find not only that a large proportion of the poverty is attributable to the drink habit and drink traffic, but that it is more difficult to deal with that kind of poverty ?—Decidedly. If we can bring about a change with regard to the drink habit, there follows a change with regard to the condition of the poor.

16164a. Have you observed whether this drink habit is responsible for a considerable degree of the neglect of religion in families and elsewhere ?—Well, I never knew any persons who were suffering from the use of strong drink, that were decidedly religious.

16165a. Have you noticed that because of the drink habit on the part of parents, their children grow up neglectful of religion ?—Yes.

16166a. Have you observed the working of the license system in Toronto, having lived here a number of years ?—Of course I have. I do not know that I am in a position to give expert testimony as to violations and so on, for the simple reason that I am not accustomed to visit these places. I know, of course, the general facts.

16167a. What is the result of your observation of the license as now administered ? Is it a lax administration, or a faithful and efficient administration ?—I believe the law is well enforced, as well as it can be.

16168a. "As well as it can be" ; just about how much is included in that statement ?—As well as that law, with what I consider its defects, can be administered.

16169a. It has defects, then, observable to yourself ?—I heard the evidence of Mr. Spence, and the position that he has taken I would take. I would recommend the suggestions that he has made with regard to amendments of the law. Most of them have been in my mind for some time.

Bishop T. W. CAMPBELL.

16170a. You think that with such amendments the license law would be improved ?  
—I do.

16171a. Have you any reason to know whether there is much illicit sale in Toronto ?—I am not in a position to say.

16172a. Nor whether there is a faithful observance on the part of the licensees of the prohibitive provisions of the license law ?—I have no personal knowledge.

16173a. Do you know whether the drink habit is very general in Toronto ?—I know that there are a great many people who are accustomed to take drink. It is evident that a good deal of drink is consumed. But as to the habits of the people, I believe the majority of them are either total abstainers or almost so.

16174a. Now, from your general observations, do you believe that the prohibition of the drink traffic for the country at large, efficiently enforced, would be beneficial to the morals of the people and to the commercial interests of the country ?—You mean by that the prohibition of the sale of strong drinks ?

16175a. The prohibition of the manufacture, importation and sale of strong drink for beverage purposes ?—I may say that I cannot see how you can prohibit the manufacture for beverage purposes without prohibiting the manufacture altogether. You cannot tell whether a man is going to manufacture for beverage purposes or for medicine. I believe that a prohibitory law prohibiting the sale of strong drink as a beverage is constitutional, and although it is an interference with personal liberty, it is not at all a sumptuary law ; but a prohibitory law that would prevent men from making cider of their apples and using it, would be a sumptuary law. A prohibition of the sale of strong drink is the action of the community saying that individual right must be subjected to public good. The community says : This traffic must be stopped. While we do not interfere with your own personal use of this thing, we do interfere with your selling it to others to make a profit out of it.

16176a. Then your idea of prohibition would not interfere with the farmer turning his apples into cider, or his grapes into wine for his own personal use ?—For his own personal use. If we go further we then interfere with personal liberty, and our interference would partake of the character of a sumptuary law, which never would succeed.

16177a. But you would favour the prohibition of the manufacture, importation and sale of strong drink as a beverage ?—I would, for the reason that we have been trying all other means for so many years with very small results. I would certainly favour prohibition as the next thing to be tried.

*By Judge McDonald :*

16178a. How long have you resided in Toronto ?—Fifteen years.

16179a. During those fifteen years have you been in the ministry of Toronto as bishop of the Reformed Episcopal Church ?—No, I have been pastor of the church part of the time.

16180a. When was the meeting held where this resolution was passed, of which you spoke ?—That resolution was passed by the general council of the church, which includes the churches in Canada and in the United States.

16181a. When was it passed ?—It is a standing resolution.

16182a. It was adopted as the standing deliverance of the church ?—As the deliverance of the church until changed.

16183a. Do you know where this convention was held ?—I am not quite sure where that meeting was held.

16184a. For what number of people in Canada would that resolution speak ? Pardon me for asking you that question, but upon looking at the census of the different religious denominations, I find that yours is not included ?—It is included in the Church of England.

16185a. So that you are not able to separate your church and say for what number the resolution speaks ?—No.

16186a. Then the Church of England has never made this deliverance of which you speak ?—No.

16187a. Nor the Protestant Episcopal Church in the United States?—Not that I know of.

16188a. Can you tell us how many congregations you have in Ontario?—We have about ten or twelve.

16189a. Have you any in Ottawa?—Yes, we have three in Ottawa.

16190a. Are you now all in one body in Canada?—Yes.

16191a. I believe at one time there was one body under United States jurisdiction and another under English jurisdiction?—We are all one now.

16192a. Is Emmanuel Reformed Episcopal Church at Ottawa one of those?—Yes.

16193a. I read in one of the newspapers that the Rev. Walter Witten, of Ottawa, is reported to have said:

“I am altogether opposed to prohibition. As a scheme of temperance reform I consider it an absolute failure. As a factor in politics, it is an unmitigated nuisance.”

I take this from the *Toronto Mail* of October 31st. Is this gentleman a clergyman of your church?—He is rector of Emmanuel church, Ottawa.

16194a. I presume he is expressing his own opinion alone in this language?—That is all.

16195a. Are you prepared to say how far the individual opinions of your clergy in the Province of Ontario might agree with those I have quoted, or with your own—from what you have heard them say?—I was surprised to read that opinion of Mr. Witten. I have not met him since he has taken that charge. I have no hesitation in saying that he is the only clergyman of our church in Canada that takes that position.

16196a. So far as you know?—So far as I know.

16197a. Is he in your jurisdiction?—Yes.

*By the Chairman :*

16198a. You said, I think, that men who make an improper use of intoxicating liquors are not very regular attendants on religious worship?—I was referring to men whom we would call drunkards, intemperate. The question asked whether such people took an interest in religious matters. That has been my experience.

16199. Have you known men who take a glass of liquor, perhaps regularly, without being drunkards, who are regular attendants on religious services and are good Christians?—Certainly. I do not take the position that it is a sin for a man to take drink. Circumstances alter cases. A great many circumstances have to be considered. The taking of a glass of liquor I do not think is to be considered sinful *per se*. That is something that the individual has to decide for himself. There are circumstances that make it sinful for some.

*By Judge McDonald :*

16200a. In the early days of Christianity did not a heresy spring up, so considered by the church at that time—based upon that very point—as to a thing being an evil in itself?—I do not remember that.

*By the Chairman :*

16201a. Have you finished your first answer?—With regard to the question of sin, of course, I think there is a distinction. The question of the morality of drinking is one thing and the question of dealing with the liquor traffic is another thing. I regard this whole question as a social question and a political question. We have here a great evil to meet. We know the evils of intemperance, and we are trying to reduce them to a minimum. That is a question for the community to decide. The best way of getting rid of this evil is a question that must be considered by those who are leading the people who are endeavouring to affect them on their moral and religious side. It is for them to teach the immorality of the drink traffic to their congregations. So far as I am personally concerned, I am a total abstainer on principle. I believe it would be wrong for me to be anything else, and according to my view, all Christians should take that posi-

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tion. In the exercise of Christian liberty they should be guided by the law of charity, which teaches us to restrain ourselves and deny ourselves for the sake of our fellow men. In that view, I think it would be wrong for me to be anything else than a total abstainer. But I never took the position that every man who does not see as I do on this question or any other is committing an offence or a sin against God.

*By Judge McDonald :*

16202a. Have you any rule in your church as to what is to be used in the Communion?—We have no rule. The practice in most of our churches, I think, is to use unfermented wine.

16203a. There has been no deliverance of the church as a body upon that question? I do not remember. It may have been recommended.

16204a. Have you any rule, as to church membership, in relation to the use of intoxicating liquor?—None.

16205a. Is there anything that would prevent a brewer or a distiller, or a man engaged in the traffic in any way, from being a member of your church?—There is no law of the church that would prevent it.

JAMES MASSIE, on being duly sworn, deposed as follows :—

*By the Chairman :*

16206a. You are a resident of Toronto?—Yes.

16207a. How long have you been here?—I have been thirteen years Warden of the Prison.

16208a. Were you resident in Toronto before that?—No; I was resident in Guelph for twenty-seven years prior to that.

16209a. You are warden of the Central Prison?—Yes.

16210a. A prison to which are committed prisoners from all over the province?—Yes; from the Province of Ontario only.

16211a. Is there a limit to their sentence?—Under two years.

16212a. Have you any statistics of the numbers in the prison to which you desire to refer?—I took no statistics, not knowing exactly what would be required of me. There have been committed to the Central Prison since its opening in 1874 up to the 30th September, 1892, 12,405 prisoners.

16213a. Have you the numbers in residence at the end of each year?—The annual reports give the returns for each year, with the details. I have no memorandum with me of the number in custody for each of the years apart. The report for 1892, at page 85,\* shows the periods of the sentences, based on the number of prisoners received in the prison since its opening.

16214a. Some commitments are made direct to the Central Prison, are they not?—Yes.

16215a. Others are prisoners from the common jails?—Yes.

16216a. The two classes are combined, I suppose, in this table?—They are given separately, those under direct sentence, and those under indirect sentence. The statute gives us authority to withdraw them from the county jails if their sentence exceeds forty days. Sometimes, if the magistrate is in doubt whether to send a man to the Central Prison or not, he commits him to the county jail, and then it is left optional with the Inspector's department whether he shall be drawn to the Central Prison or not.

16217a. I notice that in 1874 the number was 370, and in 1890 it had increased to 715?—That is right.

16218a. Of course, in that period there has been a large increase in the population of the province. Have you at any time made out a statement showing the ratio of commitments to the population?—I think not. I do not think there is such a com-

\* NOTE.—Ontario Report on Prisons.

putation in existence. I know they do that extensively in the United States and in England, but I have no recollection of it having been made here. I do know that in Canada it is very much below what it is in the United States.

16219a. At page 83 I find that in 1890, 522 were sentenced direct and 193 transferred from the jails; in 1891, 503 were sentenced direct and 171 transferred; in 1892, 416 were sentenced direct, and 182 transferred. The totals were: in 1890, 715, in 1891, 674, and in 1892, 598, showing a steady decrease in these three years. Has any special reason occurred to you for that decrease?—No, I do not know that I can name any special reason. During 1892 and 1893 a great many of our crooked men have left the province and gone west. We know that to be a fact.

*By Rev. Dr. McLeod:*

16220a. Went to the Fair?—Yes, and some who are in custody with me are very much disappointed that they could not go there. Might I give my own opinion in a sentence? It is well-known and admitted that our system of prison management in Canada is much more deterrent in its effects than is the case in the United States. In most of the prisons there convicts may get whatever they want, and do pretty much what they please. With us the discipline is very strict, and as a consequence not at all to the liking of the criminal class, and they avoid us as much as possible.

*By Judge McDonald:*

16221a. Is it not a fact that prisoners sentenced to your prison sometimes ask to be sent to the penitentiary for longer terms rather than go to the Central Prison?—Yes, that is quite common.

*By Rev. Dr. McLeod:*

16222a. Is that owing to the severity of your discipline?—There is nothing severe about it; but it is strict.

*By the Chairman:*

16223a. You make them work?—If the doctor passes them as fit for work, I have no idle men.

16224a. What proportion of the prisoners work? You have, I suppose, a certain number who are unfit for work?—We get a few who are partially insane. Then we get men who are not insane, but what we term cranks, men that you cannot do anything with. On Sunday week I counted the maimed and helpless and unfit for work, and I found that out of 302 we had some thirty or thirty-one who, while all do more or less work, were either maimed or partially imbecile or unfit for hard labour. We have just to do the best we can with cases of that sort; but we find employment for them all. A man must be altogether insane if we cannot find employment for him.

16225a. That would be about ten per cent?—About ten per cent.

16226a. I notice that the total commitments up to the 30th September, 1892, according to nationalities, were: Canadian, 6,104; Irish, 1,906; English, 2,052; United States, 1,334; Scotch, 601; other countries and unknown, 408; total, 12,405?—That is from the opening of the prison in 1874. 598 for the year.

16227a. The table referring to the social habits of those committed classifies them for the year as 108 temperate and 490 intemperate, and from the opening of the prison as 2,513 temperate and 9,892 intemperate. Is the percentage of temperate increasing, can you tell us?—There is not much difference, if any, for the past year.

16228a. Over a term of years can you tell us whether the percentages are changing at all?—I am unable to say from memory; but there is not much difference in that.

16229a. The percentage for 1892 would be about eighteen per cent?—Yes, about that.

16230a. Taking the total commitments from the opening of the prison, the temperate would be nearly twenty per cent, so that in this particular year the temperate were a little fewer than they were in the aggregate?—Yes, that is correct.

JAMES MASSIE.

16231a. How do you arrive at these figures?—First of all, we receive with every prisoner sent in, a return from the jail to which he has been committed before removal to the Central Prison. Then, upon his arrival at the prison, irrespective of the jail return, I examine every one separately, and register him according to his replies to the questions put to him.

16232a. Do you find a disposition on the part of the prisoners to rather extenuate their crimes by attributing them to drunkenness?—Well, not many. Of course, there are many who blame liquor as being the cause of their falling. Habitual drunkards, of course we know pretty well.

16233a. Their faces become familiar to you, do they?—They come again and again. They may be committed as vagrants or for drunkenness or for non-support of their families or for assault. There are certain crimes that lead us along the line of discovering what their social habits are.

*By Judge McDonald :*

16234a. Do you not find that there are cases of this kind, that men who have been convicted repeatedly in police courts and sentenced to short terms in the local jail, are finally put under the Vagrancy Act or some similar enactment, that enables the magistrate to give them a long term in your prison?—Yes, we do ; but I judge that there are not enough of those cases to make much difference in the general result. You can accomplish nothing with a habitual drunkard under short sentence.

*By the Chairman :*

16235a. Do you have every year a certain number that you cannot classify as between temperate and intemperate?—I sometimes think we should class them under three heads, that is, as total abstainers, moderate drinkers and intemperate. But our books and all of our returns have been prepared just for the two questions, and so we confine ourselves to them ; and if a man says he is intemperate, we accept that. If he says that he takes a glass occasionally, we put him under the head of temperate.

16236a. Are you able always to get that information, or do you find a certain number that you cannot classify at all?—Of course, the Deputy Warden and the Surgeon have more to do with that than I have, because they register it directly ; but they have never intimated to me that any declined to answer straightforwardly the questions put to them.

16237a. Do you think that, instead of committing the habitual drunkard to the jail time and again, it would be an improvement if he were committed to some institution where he would be made to work, and would also be treated for the habit of intemperance?—I think it would be an advantage if there were such an institution for the treatment of such men. All prison managers have their own ideas on these matters, and I have mine very clearly. If a man will not support his family, I would send him to prison and make him work, and let the proceeds of his labour go to the maintenance of his family.

16238a. Do you think anything can be done for the habitual drunkard by medical science?—On that, I would not like to express any opinion.

16239a. You have not formed any opinion about that?—No. The truth is that so many of them make the best of promises to me on passing from the prison, assuring me that they will never taste another drop of liquor ; and yet the first tavern they come in sight of they will fall before and enter.

16240a. Have you made any inquiries as to the institutions where they profess to cure inebriates, or as to the Keeley Gold Cure?—Unfortunately for the Keeley cure, it has been very badly exposed of late, and I am prejudiced against it. Consequently, I would not like to express any opinion upon it. But there is no doubt that drunkenness is a form of insanity ; a man loses his will power ; and in this advanced age, there ought to be some science that could treat an intemperate man and restore him.

16241a. Have you given any consideration to the system under which the liquor traffic is at present conducted, that is, the license system?—Well, I have given it considerable thought and read a good deal about it on both sides—for and against the liquor traffic.

16242a. Do you think the law is fairly well administered at present?—I think the law as it stands is fairly well administered, particularly in this city. I think we have a very good police force.

16243a. Do you think it is an efficient system for regulating the traffic?—Well, I do not know. I could not suggest any improvement in that respect.

16244a. Would you prefer to the present system of licensing and regulating, a prohibitory law which would prohibit the importation, manufacture and sale for beverage purposes, and would permit importation or manufacture for medicinal, mechanical and sacramental purposes?—If a prohibitory law were put in force, there is no doubt in my mind that there would be difficulty in enforcing it. It would very possibly take a considerable time to change the habits of the people; but if a prohibitory law were in force and did away with our saloons, I believe it would be very greatly to the benefit of the public at large.

16245a. Do you think such a prohibitory law, if put into force now, looking at the present state of public opinion, would be efficiently enforced?—There would be very great difficulties in enforcing it; but I do not see why a prohibitory law could not be enforced as well as other laws, such as laws against murder, theft, or anything else.

16246a. Do you think people look at the two things quite from the same standpoint? I mean that you do not find anybody in the community who approves of murder or thinks it should not be put an end to; but do you not find a very large number who do not consider it an offence to take a glass of liquor?—Oh, yes; there are many.

16247a. The two things are viewed from a different standpoint, are they not?—Oh, yes.

16248a. Do you think public sentiment is at present so much in favour of such a measure that, if enacted, it would force its being carried out?—That is a very difficult question, in view of all we have experienced in connection with the changes in regard to controlling the liquor traffic of late years. There has been great difficulty in enforcing the various Acts that have been passed, and it would doubtless take some time to enforce a prohibitory law properly. I can see great difficulties in the way of enforcing a prohibitory law.

16249a. Would there not be a liability, if such a law were enacted before public sentiment was quite ready to accept it, of its leading to confusion, and possible repeal?—I do not know. British subjects, as a rule, are a law-abiding people, and if it was the law of the land, I think that in the course of a short time they would become obedient to it.

16250a. What do you think led to the repeal of the Scott Act in different counties?—I think, in the first place, the law was imperfect. There was no proper machinery provided for enforcing it. It was an Act passed by the Dominion House, and the responsibility of carrying it out, so far as I recollect, was thrown on the Local Governments.

16251a. Do you think the fact that it was not efficiently enforced in those counties where by-laws were passed led to its repeal?—I think very largely the fact that it was only adopted in isolated counties. One county, such as Halton, might adopt it, and be surrounded by counties where liquor was sold.

16252a. You are speaking of the difficulty of enforcing the law; but what I want to get your opinion on is whether the inefficient enforcement of the law led the people to get weary or disgusted with it, and to vote for its repeal—whether the supporters of the measure became inactive, and allowed the by-laws to be repealed?—I think there is not any doubt that it was the inefficient enforcement of the Act that led the people to repeal it.

*By Judge McDonald:*

16253a. Speaking of the enforcement of such a law as you speak of, what extent of prohibition have you in view?—I would prohibit all saloons to begin with.

16254a. You believe then, that as between the hotel and the saloon, the saloon is the more dangerous?—Far more dangerous.

JAMES MASSIE.

16255a. You think that what are called the criminal classes are more apt to resort to what are called saloons than to the licensed hotels?—I know as a fact that they do.

16256a. Have you any reason to believe that these criminals resort much to places where liquor is illicitly sold?—They have what we understand to be their places of resort, well known to the police, where they will congregate and divide or secrete the property that they have stolen. Fortunately, there are not many of these dens in the city of Toronto, and they are looked after well where they do exist. Such places are in most large cities, and I believe criminals can generally be found in them.

16257a. The prisoners in your prison are all males?—Yes; no females.

16258a. Would the prohibition of which you speak be a prohibition that would prevent men having liquor in their own houses for their own consumption?—My opinion is that if you are to introduce a prohibitory law to any extent, to be of any service, it must be a complete prohibitory law.

16259a. In that case, would you consider it wise to make the law sufficiently stringent to prevent farmers making cider, wine, and so on, for their own use?—I do not think I would go so far as that.

16260a. Have you considered at all to what causes principally the commission of crime may be attributed?—The principal cause of crime is the neglect of children in infancy to begin with. Upon that subject there have been very able articles written and speeches made by gentlemen in England, on the continent of Europe, throughout the United States and in Canada; and there is no doubt, I think, in any man's mind who has given thought to the subject, that it is the neglect of children, improper training, want of proper supervision in youth, that causes so many criminals.

16261a. At Woodstock, in the County of Oxford, the Governor of the Jail there told us that as the result of his experience he believed there were three great causes of criminality, which he arranged in this order: idleness, intemperance, sensuality. What would you think of that arrangement?—I do not think I could improve on Jailer Cameron's opinion. He is a very clear authority.

16262a. He has been a jailer, I understand, for a great many years?—Yes.

16263a. You have spoken of men whose faces become familiar to you from coming periodically to your prison: are such men generally in for long terms or short terms?—We have had both; but I could not speak accurately as to that.

16264a. Would they be men who would run up to a six months term?—Yes, there are quite a number; and then there are of course the habitual criminals who have been criminals all their lives.

16265a. They have been committed for a short term the first time, and then sentenced the second time to a longer term?—That does not always follow. There is an inequality in the sentences.

16266a. Do you not find that the terms are generally increased when they come from the same locality?—We do not always find that.

16267a. Speaking as an official of large experience, do you not think it would be better if that were the case?—I favour the cumulative sentence.

16268a. That is pretty much the practice in England now, is it not?—It is under consideration still. It is very strongly advocated by the Howard Association; but still habitual drunkards are brought up and sentenced to so many hours, even if there are three hundred previous committals against them.

16269a. I do not mean drunkards, but men brought up on indictable offences?—Oh, yes, that is more adopted in England.

16270a. Do you not think it would be well if we could have in Canada some better method of keeping track of the career of criminals that is, a better system of statistics, so that a man could be identified, and the mere change of his name would not cover up his previous record?—In one of my reports, I think a year ago, when the Bertillon system of measurement was first mentioned on this continent, I recommended that a central office for the registration of criminals under that system should be established. Under that system there is no difficulty in identifying a man apart from photographs and names altogether, for men may change both name and appearance. If that system were introduced into Canada and properly carried out, as advocated not only myself but by



others, it would tend to reduce largely the volume of crime. Along with that I would introduce the cumulative sentence. When a man is brought up for the first time, let him go on remand, when brought up the second time give him a reasonable sentence, and after that let it be cumulative. When a man finds that he is likely to spend ten or fifteen years in prison, he will generally stop.

16271a. Can you tell us from memory the greatest number of recommitments you have had in the case of one man?—They may be committed very often to the jail, and not sent to the Central Prison.

16272a. I mean with you?—I think we have had them something like eighteen times.

16273a. Do you photograph criminals?—Yes, we have done that for a number of years, and we are in consequence able to assist the detectives all over the province.

16274a. Is it done on the first imprisonment of the prisoner?—Yes, we take them just when they first come in. We do it with all prisoners.

*By Rev. Dr. McLeod :*

16275a. For what class of offences, for the most part, are men sent to you?—The highest number for larceny, I think.

16276a. You have, I suppose, what is the equivalent, so far as you can get it, of the personal history of each man?—We can follow their record very closely.

16277a. With regard to this classification of the prisoners as temperate and intemperate, are there any who do not properly come under either head; do you put the total abstainers under the head of temperate?—Yes. You find that the professional burglar and the forger and the confidence man are invariably temperate.

16278a. They keep sober for business purposes?—Yes.

16279a. Are they temperate, or total abstainers?—Perhaps to class them as temperate would be better than as total abstainers.

16280a. Do you find many total abstainers among those who come to you who say that they are total abstainers?—Not a large number, but we have some.

16281a. From your observation through all these years, and your contact with the men who are imprisoned, do you think the liquor traffic is in a considerable degree a producer of crime?—There is not the least doubt of it.

16282a. As to the neglect of children which results in criminal habits on the part of the children, have you been able to notice whether that neglect of children is traceable to the drink habit on the part of the parents?—Very largely.

16283a. And I presume that intemperance also induces idleness which becomes the mother of crime?—A very great proportion of the young lads I receive at the Central Prison are boys who have been neglected by their parents, not taught any work or trade but brought up in idleness, and as a consequence fall into crime.

16284a. Which class of people are guilty of the more serious crimes, the temperate or the intemperate, who come to you?—The temperate men commit the more serious crimes.

16285a. They are the moderate drinkers?—Yes.

16286a. Are any of them total abstainers, do you know? Do they enter themselves as total abstainers?—We do not ask them that question.

16287a. Those who are guilty of the more serious crimes, who have the longer sentences, are classed as temperate?—I have in my mind at the present time men who are in my custody, who have committed clever burglaries and who are expert pickpockets; and these men I know, if drinkers at all, to be very temperate, and they boast of it, saying that they could not carry on their work if they were intemperate—they would bungle it.

16288a. So that excessive drinking even interferes with the skilful performance of a burglar's or forger's work?—Yes.

*By the Chairman :*

16289a. Do you find that many of these men, after they have committed some crime, over-indulge in liquor—I mean temporarily—going on a regular tear?—Oh, no, not the  
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professional ; he knows too much to do that. He would, as the saying is, give himself away if he did.

*By Rev. Dr. McLeod :*

16290a. You say that a great many make very strong and evidently sincere promises when they leave you that they will not drink any more. Have you observed whether the existence of the drink shops offers a temptation to these men which they cannot resist ?—I will answer the question by a very simple illustration, which will perhaps better convey the fact to yourselves than anything else. We had with us a Scotchman who had been repeatedly in the prison ; an excellent workman and a good man when he kept away from liquor. I spoke to him one day while he was working at his bench, saying to him, "John, the end of this will be that you will die in prison." He said, "I have been thinking that if you sent me to Hamilton, where I would be away from my associates, I will give up drinking." I said, "I will do it if you keep your promise." On the morning he was discharged, I put him in charge of a sergeant to see him put on the Hamilton train. On the way he saw a saloon, and he said ; "Sergeant, that man owes me five cents ; let me go and get one glass, and I will be just back again." The sergeant said, "Didn't you promise not to do it ?" "I can't help it," he said, "I must have that glass of whisky." In a short time he was back to the prison again for six months. We discharged a lad who had made some seventy dollars by overwork. I asked him to leave the money with me until the evening, taking a dollar or two in the meantime. "Oh no," he said, "I have been taught a very severe lesson ; I will not go near a saloon or taste a drop of liquor ; I am going to be a man." He took the seventy dollars, put it into his pocket and went out of the prison. The next morning he was before the Police Magistrate and sent down for thirty days for being drunk. These cases illustrate the matter better than any statement I can give you.

*By the Chairman :*

16291a. Do you think it a disease ?—It is a weakness. The will power is completely gone.

J. GORDON MOWAT, journalist, on being duly sworn, deposed as follows :—

Dr. McLEOD.—I object to our hearing this gentleman now. According to the rules that we have adopted, this gentleman, mentioned, I think, by Mr. Kribs, comes out of his turn. There are other witnesses here whose names are presented by the gentlemen representing the other side of the question, who have been waiting already for some time. I think the rule ought to be observed.

Judge McDONALD.—The witness being sworn, of course, is entitled to be examined.

Rev. Dr. McLEOD.—I made the objection before the witness was sworn.

*By the Chairman :*

16292a. How long have you lived in Toronto ?—A little over twelve years.

16293a. What is your present occupation ?—I am editor of the "Canadian Magazine."

16294a. Have you given much attention to the question of the liquor traffic throughout the province ?—I paid a good deal of attention to it up to a few years ago. I have studied the question a good deal ever since I was a boy.

16295a. What is your view of the present licensing system ? Do you think it is a fairly perfect one ?—It works fairly well. I think it has been better enforced in recent years than it was previously. It might be improved. I am not sure that it is the best system of managing the liquor traffic.

16296a. Are you prepared to suggest any other as a substitute for it, or any general improvements in it which you think would render it more effective?—I think there is a possibility, with certain populations, to have no licenses at all—to allow liquor to be sold by everybody, and that this might work quite as satisfactorily as the license system. But a great deal would depend on the people. I would not like to see the experiment tried in Canada at present. I would like to have more evidence on it.

16297a. Have you in your mind any place where such a system has been in operation?—In Switzerland, in parts of Germany and in Belgium. In the Canton of Berne the law is very much like the law of Ontario. In Thurgau any one can sell liquor, and a few years ago there was one place selling to about eighty of the population; yet there was almost no drunkenness; it was the soberest Canton of Switzerland.

16298a. Have you any statistics that you can put before us in regard to these two Cantons?—I think I have. I could furnish them. (Appendix IX.)

16299a. Are they taken from official documents?—I did not take them myself from official documents, but from very large extracts from the report of the Swiss Commission which investigated the liquor laws in thirteen different countries.

16300a. If not too much trouble, you might send them to the Secretary?—I will do so. They remarked that they found no relation between drunkenness and the number of licensed houses, but on the contrary they sometimes found the districts with the largest number of licenses in proportion to population, the soberest. But I fancy that depends a great deal on the character of the population and their industries. Where there are many manufacturing towns there will necessarily be more drinking; but I do not know that there is to be any conclusion drawn from it.

16301a. You referred to Belgium, I think?—Yes. A dollar fee is paid for the right to sell wine and beer—simply to register the place, so that the police will know where people congregate. I think that for the sale of spirits there is a higher license. I think that under a system of general sale it is possible that liquor would come to be a commodity like ordinary groceries, and would be kept with a great many other things, and the trade would gravitate to where it is mostly needed, and there would not be so much of the saloon evil.

16302a. I understood you to say that you would not advocate such a system for Ontario?—I would be afraid to try it without a good deal more evidence. It is worthy of consideration, however.

16303a. Do you think the reduction of the number of licenses which has taken place in this province has had a tendency to reduce drunkenness?—I could not say. In Toronto the effect of the reduction of licenses was at first an increase of drunkenness; but I think, notwithstanding that, there has been a decline since.

16304a. The police records will show that there has been a diminution in the number of arrests for drunkenness?—There was a decided increase for a few years after the reduction of the number of licenses—an increase of nearly five hundred per annum for three years. I think the improvement here has been rather through getting a better class of men into the business.

16305a. Do you remember the year in which the reduction in the number of licenses was made?—I think it was in 1887. The first effect was that saloons and bars took on more bar-tenders—quite a number of them. Two or three fellows who were in the habit of meeting at a particular place were perhaps driven out of it; they went to another place; there they met several of their chums; and instead of two or three rounds of drinking, there were five or six. However, the class of men in the business is very much more respectable than formerly, and this has tended to counteract drunkenness. There are saloons here which will not sell liquor to men under the influence of drinking.

16306a. Do you think there are many places in Toronto for illicit sale?—I have not looked into that for several years. I looked into it at the time that Mr. Archibald reported that there were twenty-five or thirty, and I found that there were probably between two and three hundred. That was in 1887. I have been informed, too, by leading business men that they found the central part of the city full of these places—that did business on Saturday night and Sunday. For instance, in one place a printer

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employed in one of the offices and earning good wages, would sel. on Saturday night and Sunday five or six gallons of whisky and several gallons of ale. I heard of several instances of that sort.

16307a. At that time were the saloons and public houses closed from Saturday night till Monday morning?—Closed from seven o'clock on Saturday night till Monday morning.

16308a. Have you had any experience personally of the operation of the Scott Act?—Yes. I was one of the Secretaries of the Liberal Temperance Union, and about the time the victories of the Scott Act came to a standstill in Ontario I was around the country a good deal in Scott Act counties, for about three years.

16309a. Was the Liberal Temperance Union a political organization?—Not at all. It was an organization to oppose prohibition and to set forth a different theory of temperance from that which was current. It was made up of total abstainers and moderate drinkers—most of them moderate drinkers.

16310a. Who was the chairman of it?—Goldwin Smith was the President of the National Union. We had organizations in about thirty counties.

16311a. What was the effect of the Scott Act in the counties where it was put in force? Did it tend to reduce the consumption of liquor and diminish drunkenness?—It varied according to the degree of enforcement in the main. In the County of Halton enforcement was very strict; there was a very strong effort made there, the prohibitionist there being very much in earnest. I was in Oakville but once. I think there the law was much better administered than in any other place in Ontario. In Milton, which I saw a great deal of, the Act led to a large increase in the number of drinking places, and I believe a large increase in drunkenness. I did not know much of Milton before the Scott Act was introduced, but I have seen a great deal of drunkenness on the streets and in taverns there.

16312a. Was there open sale in Milton during the period the Scott Act was in force? It was six years in force there, I believe?—I saw it during the second half of that period—in both Georgetown and Milton. You would hardly call it open sale; still, anybody who wanted liquor could buy it unless the seller feared that the purchaser would inform on him. Sometimes you could walk into a bar-room and get a drink. Sometimes you had to go into another room. I have seen in a room twenty or thirty sitting around on benches, and the drink was brought in to them. I have seen that over and over again.

16313a. Were you lecturing up there?—I spoke there several times. I was there a good deal in connection with the repeal movement. I was asked to go up to meetings of the executive of the anti-Scott Act agitation. We had an organization there.

16314a. Did you visit any other districts in which the Scott Act was in force?—In the country west of London I think the Scott Act did not materially increase drunkenness. I was in St. Thomas, Chatham and Ridgeway, and the sale was as open in most of these towns as in Toronto. In Chatham I have seen liquor taken out of a hotel and served on the sidewalk. That was in a place the proprietor of which had been up before the magistrate two weeks before, and sentence had not been pronounced. Notwithstanding that, the sale was quite open.

16315a. How long had the Scott Act been in force in that district at the time you speak of?—It might have been twelve or eighteen months.

16316a. Were you in any other district?—I saw the working of it in the County of Norfolk. In Tilsonburg, there was very little drunkenness, I think. The hotels and several other places sold. There were liquor stores that sold by retail. The bars kept open sometimes till twelve or even one o'clock; sometimes they closed at eight or nine, just according to the amount of trade there was. The sale was very open there, and there was no interference practically with the sale. I think detectives came there twice, but I do not think anybody was convicted. I saw the operation of the Act in the town of Simcoe. There a good deal of drinking was done, at first in cellars. At first there was an attempt made to enforce the Act, but the resistance was very great, and it was finally abandoned. I saw very little difference between most Scott Act towns and license towns. I saw the operation of the Act in Simcoe County, towards

the latter part of its operation. In Collingwood all the hotels were selling as far as I know.

16317a. Did you visit any of them?—I did. I did not visit any of the other places selling in Collingwood, but I visited the hotels; but I learned from others whom I could positively depend on, what they were doing. In the two leading hotels of Collingwood the sales appear to have decreased, owing to the competition of other places. Liquor was sold on vessels lying in the harbour. I visited one of these, and had a drink on it. I have seen something of the operation of the Act in the County of Oxford, especially in Woodstock. I have stayed there repeatedly, sometimes for two or three days at a time. In the hotels they were selling openly. One time the Rev. Mr. Laird, a highly respected Methodist minister, stated in Toronto that anybody who said that liquor was sold in Woodstock was lying. At the same time, I saw one bar that was open for two or three nights till two o'clock in the morning in Woodstock. One night for about an hour there did not seem to be a sober person in the bar. The other night, there did not seem to be much drunkenness, but people went in and out freely. I saw a little sold in confectionery stores. In a barber shop, I found sale going on. At the railway station, while waiting for a night train, I went into a place near the station to get a cigar, and I noticed that several persons there were drinking ale. A friend told me that there were fifty-two places in Woodstock selling. It was quite open.

16318a. Do you think the vote by which the Scott Act by-laws were passed in the first instance was a genuine expression of the sentiments of the majority of the voters in Scott Act counties?—That is a very difficult question to answer. A considerable portion of it was; but a great many who voted for the Scott Act did so rather to please a clergyman or some ardent prohibitionist friend. There was an immense amount of that. Then, I found, in going around, that there was very little effort made on the other side, except by some of the liquor sellers who were in bad odour with the people, from the way they were held up for reprobation by the advocates of the Act. I am satisfied that a great many people not in favour of prohibition voted for the Scott Act. I found a great deal of social intimidation practised. Professional men and business men were afraid of being ostracised, so that there was no opposition given to the carrying of the Act, and the vote went by default to a great extent, and really did not represent the public opinion of the country. I expect the plebiscite issued by the Ontario Government to be carried out by a considerable majority owing to similar causes.

16319a. In the second vote by which the by-laws were repealed, do you think any particular change had taken place in the sentiment of the voters, or were the supporters of the Act really discouraged because of the manner in which it had been carried out?—There was a very decided change over a good part of the province, and a part of the vote for repeal was owing to Scott Act people becoming discouraged. They found that the Act was a failure. At the same time there was a very great change on the part of men of decided convictions—men who would never afterwards in their lifetime support prohibition again. I met a good many such. The vote on the repeal was very like the vote which carried the Scott Act; it did not represent as strong a sentiment against prohibition as the figures would indicate. In the second year of the repeal movement a good many counties let it go by default; but in the first year, in the first ten counties repealing it, the friends of the Act really fought it out, and made a strong effort to retain the measure.

16320a. From your observation do you think there was a great laxity on the part of the officials in giving effect to the law?—That varied. Certainly in the County of Halton there was not. Taking it on the whole, there was a real attempt there to enforce the law. I think there was also in several other counties. In Woodstock there was an earnest attempt made; also in the town of Simcoe and in Port Dover. But there was so much resistance that it was unsafe for some of the officials to attempt to enforce the law. In the first election in the County of Norfolk after the Scott Act went into force, the Scott Act was made the issue, with the result that only one Scott Act man was returned to the county council. The council passed a resolution denouncing the Scott Act as a piece of tyranny and against British justice. The feeling there was higher than in a good many other counties.

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16321a. How do you account for the councils in so many instances being either indifferent to the enforcement of the law, or refusing to give effect to it, in so far as it was in their power to do so?—I think there are two reasons. The adoption of the Scott Act did not represent the views of the people. Most of those who voted for it would never lift a finger to enforce it; a great many of them would assist in breaking the law. Then, in the second place, a good many people, and among them a large number of the best citizens, were opposed on principle to the law, which they regarded as wicked and tyrannical: and therefore they broke it, and raised as much resistance to it as possible. I found that quite general. I think the Ontario Government on the whole, tried to enforce the law, as far as they dared go. There is a certain amount of common sense a Government must exercise, and they probably did not like to drive matters too far, or they might have been afraid in some instances to offend some of their friends. But they did attempt as far as they could to enforce the law. In Woodstock, for instance, they determined to appoint a man to the position of Police Magistrate, who was strongly in favour of prohibition, and there was a strong agitation in favour of the government taking the money of the general license fund of the province to enforce the law. A petition signed by three hundred men of Woodstock, including a large majority of the business men, and many of the professional men, and generally a good class of people—there were no liquor sellers among them—was sent to their representative, Sir Oliver Mowat, telling him that they did not consider it an act of virtue on the part of a good citizen to observe the law or even support it, and warning him of the consequences if the attempt was made rigidly to enforce it.

16322a. Do you think a general prohibitory law would be more easily enforced than the Scott Act was found to be?—A general prohibitory law would not labour under the difficulties the Scott Act did, of having license counties and Scott Act counties bordering on each other, with the consequence of trade being taken away to a certain extent from some towns and given to others close to the border. There was a disposition on the part of farmers to go to towns where liquor was sold under license, where there was no fear of their being summoned to give evidence against a man who was selling. Of course, under general prohibition there would be no difficulty of that sort. But there would be a great deal of difficulty in preventing importing, and I think there would be still greater difficulty owing to the ease of illicit distilling. Instead of having seven or eight distilleries in the country, we might have fifteen thousand, bringing back the old style that prevailed in 1840, when there were many hundreds in the province. I found out that during the time of the Scott Act there was a great deal of illicit distilling in the northern part of the County of Simcoe. Some of the stills were very simple. One clergyman, a supporter of the Scott Act, told me that in going around seeing his people, he came to the house of a carpenter, where he found several stills. It was evidently a manufactory of stills, which were shipped out to the country.

*By Judge McDonald:*

16323a. Did you visit any of the Scott Act counties in other parts of Ontario than those you have spoken of; did you travel east of Toronto at all?—I saw very little of the country east of Toronto during the time of the Scott Act. I was north and west.

16324a. Were you present at any of the trials which took place of persons charged with offences against the Scott Act?—No, I was not.

16325a. You are not able to speak, then, as to the way proceedings were carried on in the courts, the nature of the evidence, and so forth?—Only from what I have heard. I cannot recollect having been present at a trial.

16326a. Can you say from your own knowledge what kind of liquor was mostly sold in those places where you saw it sold?—They were mostly hotels: I knew very little about other places. At the hotels the quality of the liquor seemed to be fairly good in the County of Halton, in some of the hotels it was very bad, so much so that on one occasion, at a hotel in Georgetown, some business men coming in the evening proposed to have a drink. I do not think there was any beer in the house at the time, and I called for whisky, a drink I was not in the habit of using; but I was nudged not to take it. I afterwards asked the owner of the house, who had kept the hotel a short

time previously, why he had nudged me. He said, "Don't drink that whisky; it is poison." A friend of mine who afterwards spoke to me, told me it was unsafe to drink the whisky at that place. There was a good deal of bad whisky sold in Halton.

16327a. Were you in Halton at all over on Sunday?—Yes, once.

16328a. Did you notice whether those places where liquor was sold in Halton were closed on Saturday night and kept closed on Sunday, as the law requires in Toronto?—On the Sunday that I was in Halton I did not go out much. I did not see for myself, I was told by others of what was going on.

16329a. Did you notice whether in Milton many arrests were made for drunkenness?—I did not. I made inquiries at the court-house as to the official records of crime and drunkenness, and the committals by the magistrates.

16330a. You said that you thought that at Oakville an effort was made honestly to enforce the law?—Yes.

16331a. Did the magistrate live at Oakville?—He did. At Oakville there was illicit selling, but I think there was very much less sold than there would have been had the place been licensed.

16332a. Was that illicit sale in Oakville carried on by the men who had previously kept licensed houses?—No, it was not. I have no doubt that the hotels did sell, but on the occasion of my visit there I did not see any selling. In fact at the hotel where I stayed, though different people tried to have liquor, they could not get it.

16333a. Were you at Burlington, which is I believe in the County of Halton?—I was there once: I think I stopped between two trains. I cannot recollect what was going on. I was at a hotel, I think.

16334a. Are you acquainted at all with the County of Waterloo?—I am. I lived there for a good many years.

16335a. The Scott Act was never in force in that county?—No.

16336a. Always the license law?—Always the license law.

16337a. What class of population is in the County of Waterloo? What nationality?—About half of it German or German descent.

16338a. What are the habits of the people in that county as to temperance?—I lived for thirteen or fourteen years in the town of Berlin. I lived in the town of Galt for six or seven years after I was a big boy, before I came to Toronto. In Berlin I occasionally saw a drunken man, perhaps once a year. I boarded at the hotel there for a considerable time. I saw large gatherings there of many thousands, one gathering of probably twenty thousand in one day. There were a few cases of drunkenness, but they were outsiders: they did not belong to the county.

16339a. Did you notice how Sunday was observed in that county?—At that time there was a great deal of selling, I belonged to the Y. M. C. A. and to a teetotal society, and as patriarch of that society I tried to have those places closed up. We had Sunday meetings on the square, and we were stoned and rotten egged several Sundays in succession. But after that time the hotels closed on Sunday in Berlin.

16340a. In that county, what was the principal drink?—Lager beer.

16341a. I understand from a paper which has been put in here that one of the objects of the society of which you were an official and of which Mr. Goldwin Smith was the president, was to do away with the use of distilled spirits and to encourage the use of ale and light wines?—Not to do away wholly with the use of distilled liquors, but rather to cultivate the use as beverages for general purposes of fermented liquors.

16342a. Would your experience as a resident of the County of Waterloo among a German population who used lager beer to the extent of which you speak, make you favourable to the objects of that society?—Most decidedly.

16343a. Have you had experience of any other county than Waterloo in which there was a German population of a similar kind?—No. I have been in other parts for a short time. I have been amongst the French around Sandwich.

16344a. What did you find to be the state of things there?—I think there were one or two men in the town who were addicted to liquor, but that was about all. The hotel-keeper there told me that he had trouble with only one.

16345a. What did they drink mostly?—Wine.

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16346a. Was the wine made from native grapes?—Yes.

16347a. Did you notice whether, in the Scott Act counties of which you have spoken, there was during the continuance of that Act an increase or decrease of drunkenness?—In Halton there was certainly an increase, a very large increase, unless Halton had previously been about as bad as our frontier settlements on the borders of the woods. But judging by what I know of the country parts, and I have been over a good deal of Ontario, I would not expect Halton to be less sober than most of our settled counties.

16348a. Have you visited Halton since the Scott Act was repealed?—I have been in Milton.

16349. How did you find things there as compared with the state of things that existed when the Act was in force?—I have not been in Milton long enough to make a comparison that would be of any value.

16350a. Are you in a position to say what was the cause of the repeal of the Act in Halton? Did you take part in the contest?—I did. I took a very active part.

16351a. Are you in a position to say what was the cause of the repeal of the Act there?—There were various motives. The main one was this, that the word in the mouths of most of the antis, was the word tyranny, and they were determined to repeal it.

16352a. Tyranny in what respect?—The nature of the law.

16353a. They had had the law in force for three years in the first instance, and then had continued it by their votes for three years more; if the law itself was tyranny, it must have been tyranny during the first three years as well as during the latter period?—That was realized by very many before, but the feeling became intensified. Besides that feeling, the administration of the law was regarded as cruel and inhuman, many of the cases of prosecution being of so severe a character. For instance, Judge Miller, speaking of the action of the Inspector and a constable in going to arrest an aged woman of seventy years, said he could not find words in the English language to convey his sense of horror at the outrage committed by these men.

16354a. Had this woman been charged with selling liquor?—She had. Several dozen of porter had been found in her house. She kept boarders. The house was searched, and this porter was found, and she was brought up for selling liquor in violation of the Scott Act. The sentence was suspended. The magistrate sent her a letter about a week after the trial was held, stating that she was fined, but he did not mention where she was to pay the fine. She obtained the money and kept it in the house to pay the fine; at least, so she alleged. The action of the Inspector and the constable was this. They called at her house one morning when she was preparing breakfast, and was only partially dressed, and went in and put handcuffs on her, and dragged her over the kitchen floor and through the hall. Her daughter interfered, and threw a lamp at the constable. They managed to get her on the sidewalk, but she held on to the fence rails. In the first place, she told them, "let me go and I will pay the fine." She had the money for the purpose. All this was in the newspapers at the time.

16355a. You have not personal knowledge of the facts?—I have them from the reports.

16356. Did you make any personal inquiry into the facts?—I did, from Mr. Panton, one of the Crown officials of the county, and from various other parties.

16357a. Was there any reason besides the one you mention for the repeal of the Act?—The feeling was intensified that the Act was an unjust law, so that men defied it and broke it in every direction; they did so as a matter of principle, the best citizens amongst them. Furthermore, the men supporting the Act saw the shebeens where there was drinking and fighting on Sunday. In Milton it was said there were sixteen of these places. I have had thirteen places there pointed out to me where liquor was sold.

16358a. Did the authorities make an attempt to enforce the law?—They did. There were forty-two hotel-keepers in the county when the Act came into force. Only three of these remained when it went out.

16359a. If these went out, what class of people were engaged in the sale?—Chiefly a class of people who had no property in the county—not all, because other men had taken the hotels instead. I am speaking of the shebeens. Milton had previously four hotels and one grocery where liquor was sold. Before the close of the Scott Act period



the business had fallen into the hands of men of very low character, who had no property at stake. In Milton they worked it in this way. A man would have a partner; the business would be thrown mainly to one place; if that place was suspected, the partner would take up the business, and the place suspected would keep quiet for a while. These men very often had no property or family, and they could easily leave the county if trouble arose.

16360a. Did you notice in any of the counties you have spoken of, whether liquor was sold by people who carried it about their persons?—I have evidence on that point. Here is a document (producing it) signed by a large number of the business men of the town of Milton.

16361a. Do you know that these are their signatures?—I know the signatures of a good many of these men.

16362a. What is the effect of the document?—It states that the Scott Act has failed to reduce intemperance, that the liquor business, instead of being in respectable hands, as formerly, is now in the hands of bottle hawkers and shebeen-keepers.

16363a. Bottle hawkers would be the class of people I have spoken of as carrying it about their persons?—Yes.

16364a. To whom was this petition sent?—It was sent, I think, to myself.

16365a. To whom is it directed?—It was simply a statement. It was signed at the close of 1885 or the beginning of 1886, and within a week after it was signed it was in my hands.

16366a. For what purpose was it made?—Simply for the purpose of being used to advise other counties not to adopt the Act. A great many statements were being made about the Act succeeding in Halton.

16367a. If you have no objection, please mention the names of those whose signatures you know. How many signatures are there?—Forty or fifty, Alf. G. Nedham, clerk in the Court-house; W. J. Watson, journalist; Campbell & Panton, publishers. There are several others that I believe I know, but I am not quite familiar with their writing and would not like to swear to them.

16368a. Are they men of respectability, men whose word you might take?—Yes.

16369a. What is your occupation in Toronto?—I have been a journalist.

16370a. I understood you to say that you yourself had at one time made an investigation as to the amount of illicit sale in Toronto?—I did, from inquiries of the class of men who I thought would frequent those places. That was in 1887.

16371a. I find, for instance, that in 1886 there were in the city of Toronto 212 licensed taverns, nine saloons, 66 shops and 13 wholesale licenses, and that the amount of fines was \$2,120. In 1887 the number of taverns had dropped to 140 and the number of shop licenses to 50, the saloons remaining at 9 and the wholesale licenses at 13, and the fines were \$4,250, or nearly double what they had been in 1886. Can you, from the inquiries you made or the knowledge you have, account for that increase of fines?—I only have impressions of it. In that year there was a great deal of excitement on the temperance question. Mayor Howland was a prominent prohibitionist, and after he came into office there was a good deal of attention paid by him to enforcing the license law. That was the question uppermost in that year, and I think it had something to do with the more vigorous prosecution of offenders.

16372a. In 1888 the fines dropped to \$1,290. Can you account for that?—I cannot, except on the theory that the interest was waning, something like what it is under prohibition—spurts of enforcement.

16373a. Have you found the expression of public sentiment to be made in spurts?—In the County of Halton there were times when the prosecution was more active than at other times.

16374a. You have told us about your work in Waterloo, in connection with the Young Men's Christian Association and the temperance society. Did you notice, in the counties where the Scott Act was carried, whether the temperance societies continued their work as actively as they had done previously?—My experience in regard to that is not large.

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16375a. We have been told in some counties that after the Scott Act was carried the temperance societies, that had worked very hard to get it carried, looked on the result as their object accomplished and slackened their ordinary work to some extent?—The subject did not come up very often; but it was casually mentioned in some of those counties that there was a decrease in the work of moral suasion. Of course, they would be occupied in seeing to the enforcement of the law.

16376a. Have you noticed that within the last few years there has been a great growth of temperance sentiment—I am not using the word prohibition—and temperance habit in the community—a great diminution of drunkenness?—Until I was twenty-three or twenty-four years of age I had seen very few drunken men. After that, living in Toronto and living in a Scotch community, I saw more. In that Scotch community, taken altogether, there was a marked improvement in the habits of the people, up to a few years ago at least. That was the town of Galt.

16377a. Your connection with that town ceased a few years ago, and up to that time you noticed an improvement?—Yes.

16378a. Have you found a diminution of drunkenness in the city of Toronto during your residence here?—My impression is that there is a diminution.

16379a. Have you not found that there is less drinking at private tables, also at public hotel tables, on steamboats, and in similar places, than there used to be?—I have not noticed that.

16380a. Have you considered that matter at all?—I have considered it and thought over it several times, but I have not noticed that. Still, that is only an opinion. I have not given it any special study.

16381a. Is there any statement you would like to make yourself?—I would like to emphasize my idea that total prohibition would be utterly impracticable, as the illicit manufacture of whisky is exceedingly easy. I would like to cite Sir Samuel Baker's experience in equatorial Africa as an illustration of that. By building up a few stones to make a little fire-place, placing on top of that a crock that would contain a few gallons of water, and connecting this by a common reed with a kettle set in a pan of water, he was able to manufacture a considerable quantity of spirits every day. He used sweet potatoes for the purpose. As alcohol is found in every form of vegetation, there would be no trouble in getting material out of which to manufacture spirits.

16382a. I think I remember the case of Sir Samuel Baker: do you remember the outcome of it?—It was very beneficial in the case of Sir Samuel Baker and his wife; but the king of the country found out about it, and started a still on his own account, with somewhat disastrous results to him.

16383a. And you think that, owing to the ease with which liquor could be manufactured by that and other methods, there would be a good deal manufactured?—I think the country would be full of distilleries.

16384a. Have you considered the possibility of the enforcement of such a law on the borders of the country?—At great expense the importation, might be so interfered with as to diminish the consumption of liquor on the border.

16385a. In case of the enactment of a prohibitory law preventing the importation, manufacture and sale of intoxicating liquor for beverage purposes, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I have never very fully considered that question. My impression is that they should be.

16386a. Is there any other statement you wish to make?—I think the effect of prohibition would be to greatly interfere with the development of one of our industries which promises a great deal for this province and for parts of British Columbia, that is, the wine industry, a subject to which I have given a good deal of attention. I have endeavoured to find out the capacity of every part of this country for wine manufacture, and my conclusion is that parts of the Province of Ontario are as capable of wine production as any other country in the world, not second even to Europe. I might put it more strongly: there are parts of this province, in the County of Essex, for example, which produce more wine to the acre than any other part of the world, including California and the southern parts of Europe. I think that industry should be

encouraged as far as possible, by keeping the duty upon the cheap French wines—not on the higher class of wines; some of those are of good quality. I notice that a statement was reported to have been made by a witness the other day that all the Canadian wines he had tried were unpalatable. I conclude that he has not tried them all. Of late years there has been a great improvement in the manufacture; better knowledge and skill is employed; and some of the wines now produced will compare very favourably with French wines sold at eight and ten dollars the case. There are now Canadian wines sold at a little over a dollar a gallon that are equal to these.

16387a. Are there any amendments to the license law that you would suggest as the result of your consideration or experience?—I think the license law could be made better and the bad men driven out of the business by inserting a clause in the law to this effect: that any public house selling liquor to drunken men or allowing drunkenness on the premises, or exceptional disturbance, or being immoral in its character, should be regarded and treated as a public nuisance. Perhaps the case might be brought before a jury of half a dozen men, and instead of having informers go to these places, they might be convicted on the general testimony of their neighbours. I think that would be a more moral and a more effective way of making and keeping our public houses better than, perhaps, they are at present. There would, perhaps, be less necessity of paying attention to such little violations as selling to a travelling man, coming from a train, after hours; but the general character of the business would be improved.

16388a. Have you ever considered whether it would be advisable, after two or three convictions of violations of the license law, to take away the license from the premises?—I think not. I think it should be taken from the man.

16389a. Unquestionably from the man; but should it be taken from the premises?—It might sometimes be very unjust.

16390a. It is sometimes put forward that, with such a provision in the law, the landlord, in leasing the premises, might make it a condition of the lease that, after two or three convictions, as the case might be, the lease should be forfeited; in that way the landlord would be an additional person interested in seeing that the law was observed?—He would. The matter is worthy of consideration if care is taken that no injustice is done to the owners of the property, who may be living elsewhere.

16391a. With proper safeguards you think such a provision might be useful?—It might be useful. Wine and beer licenses, under proper safeguards, I also think might be useful.

16392a. We were told that wine and beer licenses were tried in Toronto, and that, perhaps, owing to the fact of other places having licenses to sell spirits, the people who had beer and wine licenses only, also took to selling spirits. Would there not always be a difficulty of that sort if the two classes of licenses were in the same place?—I do not think the wine and beer license was fairly tried in Toronto. There would be that difficulty, but it might be minimized by adding to the powers of the Inspector to inspect adulterated liquors. If there is a minimum standard of alcohol fixed, say fifteen per cent, let the Inspector be empowered to go into a house and take a sample and have it analyzed.

16393a. Would you have beer and wine licenses issued in communities where the other licenses are allowed? What is the need of them there? The man with the license to sell stronger liquor, sells beer and wine also?—In this way. Beer and wine licenses are issued at a low figure, which would tempt many people to take them out, and people coming about and drinking socially with other men, would be forced to drink beer and wine at those places. I presented that view to the Ontario Government with some friends, but the Attorney General thought he might be infringing on the powers of the Dominion by having this exception made. I do not think a beer and wine license, without the safeguard I have mentioned, should be tried.

16394a. Have you considered whether it would be advisable to have a more frequent and stringent inspection of the liquors sold in licensed places?—I think it would be very much better. I have been told of places in the city where a single glass of liquor has put a man in such a condition that he went away from his home and wandered about the country for several days. I have heard of several cases of this kind;

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I do not know that they were licensed places. I think the character of the liquor sold in Toronto has greatly improved of late years. Still, there is a great deal of bad liquor sold.

16395a. In case of the enactment of a law doing away with the saloon bar, or the hotel bar, which would it be better to dispense with?—The matter after all reduces itself to this : get good men into the business, and there will be not much trouble with the bar. I know bars in Toronto where great care is taken not to sell to drunken men, where they do not sell to minors at all, where there is very little obscenity or profanity or rough language, where the proprietor is very careful of the character of the place. I have known saloon-keepers to take men into a room and get some one to talk to them and take them home to their families. If the general public would show a little more sympathy and charity towards that class of men, instead of hounding them down, and if a little more care was exercised in granting licenses, we should have more of such men. A saloon in the hands of such men would not do much harm. But taking things as they are, I think the decided preference should be given to the hotels. Young people do not care to drink at hotels where their seniors are. I found a great deal of drinking by young men in Scott Act counties ; they would do many things that they would not do under license, where older people would be likely to come in.

*By the Chairman :*

16396a. In the United States the Federal Government makes every one engaged in the liquor traffic pay a special tax. The payment of the tax does not authorize them to sell contrary to the law of any municipality or any State ; but they cannot sell without it, without subjecting themselves to heavy penalties. Do you think it would be an advantage if some such tax should be imposed by the Dominion Government, by which means they would have a complete register of every one engaged in the traffic, and it would be the duty of the federal officer in each district to look after the traffic to see that no one was selling without having paid the special tax. It would bring in another element of supervision over the business. Do you think that would be an advantage in Canada ?—No, unless the Dominion had the power of enacting a license law and enforcing its provisions.

16397a. It would not interfere with the present license law ?—I do not see what would be gained, unless they used the power and the knowledge gained by means of this tax to inspect the quality of the liquors.

16398a. The application made of the funds would be a matter for consideration ; but one advantage would be that there would be at Ottawa a complete register of all the manufacturers and dealers throughout the whole country, and it would be the duty of the federal officers who collected the revenue in each district to see that no one sold liquor without paying the tax. It would be in a sense a further supervision over the traffic ?—In other words, it would have the effect of diminishing the unlicensed houses. It might be of advantage in that way. It is a subject I have never considered at all. This is the first time it has been suggested to me.

16399a. If a severe penalty were imposed for selling without having paid the tax, as has been done in the United States, it would surely be a deterrent against illicit selling ?—I think it would be of great value in preventing illicit houses. I would not have the tax made large. I do not think the way of bettering the liquor traffic and making it more respectable, is by putting a heavier tax upon it. The license is as high now in cities as it ought to be.

*By Judge McDonald :*

16400a. It might be a gain to the provincial authorities also : the fact that a man had paid the federal tax would be an indication that he intended to sell liquor, and the provincial authorities might keep a check or a counter-check on him ?—That is true. I think the suggestion is a valuable one. I think also that it would be a benefit if the composition of the license board were less political. I believe it has been used by the Ontario Government to advance their party interests, and sometimes very unfairly to drive out respectable tavern-keepers and put less desirable men in their places.

*By Rev. Dr. McLeod :*

16401a. You were an officer of the Liberal Temperance Union?—Yes.

16402a. Had it many branches?—I think about thirty.

16403a. Had it any outside Ontario?—None.

16404a. And its object, I think you stated, was to promote a better idea of temperance?—A better idea of temperance.

16405a. Was its chief object the repeal of the Scott Act?—It was a very important object.

16406a. Is the society in existence now?—Nominally.

16407a. It is defunct?—We have had meetings since the time of the Scott Act; but we have not been very active.

16408a. With the repeal of the Scott Act, the association died?—No.

16409a. As to active work?—We strove to put it on a footing as a permanent temperance society. I worked a good deal in that direction. In the town of Woodstock we secured the reform of some habitual drunkards of the worst type that all previous efforts had failed to reform. In the case of one man, it cost about \$200 to get him straight: but he was put in respectable society, treated kindly, and put on his own responsibility. Many of our members were total abstainers, though we did not believe in abstaining for example. We acknowledged the obligation of the law of love, but not to deny the use of liquors to those who did not abuse them.

16410a. The association ceased to be an active organization since the repeal of the Scott Act, and the reform phases of its work are not going on?—They are going on by individual effort.

16411a. But not as an organization?—Our liberal temperance people trust very largely to church influences to put the temperance question on the proper basis.

16412a. Were you the campaign manager in the Scott Act contests?—In some counties I was.

16413a. And you stumped a number of the counties in the interest of repeal?—I stumped some counties. I did not do more than anybody else.

16414a. May I ask you if you were a paid officer of the society?—That is a personal question. I never received a cent for speaking; I paid my railway fares, and very often my hotel bills in the contest.

16415a. And your services in the repeal contests were unpaid and voluntary?—Very largely. I lost money in the matter.

16416a. I think you expressed the opinion that the Scott Act was often carried by social or religious intimidation—I suppose the same as what was referred to by Professor Goldwin Smith in his letter to the press the other day?—Yes, something of that kind. There are some people who are not courageous enough to carry out their honest convictions.

16417a. Did you regard the course pursued by the friends of repeal as intimidation at all?—No, there was none at all.

16418a. So the repeal was not brought about by intimidation?—It was not, most decidedly not.

16419a. Would you regard as a sort of intimidation the fear of riot or bloodshed in case of the enforcement of the law, such as the state of things you spoke of in Manitoba?—It may have had the effect in some places of deterring some of the judges and other officers from carrying out the tyranny.

16420a. Which would be the most serious form of intimidation, that set in motion by the ministers, or the arson and threatened bloodshed and riot on the part of the opponents of the law?—The most general and widespread in its effect was the other.

16421a. Which would be the most serious?—The other might be more serious, but there was very little of it in the province.

16422a. Which do you think would indicate the worse state of feeling?—I think religious intimidation is a very bad thing for a country, for it touches the heart strings of the people. If the Scott Act could not be repealed by the common sense of the people, it might be worth while possibly to consider the case of rebellion. I do not think

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the people were wrong in breaking the law. I think a wicked, unjust and tyrannical law should be broken.

16423a. You think they were justified in violating the law?—When a man breaks a law, he should consider it very carefully, and only do it as a matter of very serious principle. It is similar in principle to rebellion, but milder in its way.

REV. O. C. S. WALLACE, on being duly sworn, deposed as follows :—

*By the Chairman :*

16424a. You are a resident of Toronto?—I am.

16425a. Have you any charge here at present?—I am pastor of the Bloor Street Baptist Church.

16426a. Have you a large congregation?—I have.

16427a. How many Baptist Churches are there in Toronto?—Fifteen, I think.

16428a. Is yours one of the largest?—The second in size.

*By Rev. Dr. McLeod :*

16429a. Have the Baptists of Ontario made declarations touching the drink traffic and the method of dealing with it at their conventions or associations?—Quite commonly. The latest deliverance was, at the annual convention of the Baptists of Ontario and Quebec, held at Waterford last month. A deliverance was made there in sympathy with prohibition.

16430a. Have you that with you, or if not could you furnish us with it for our record?—I haven't it; I could furnish it. (Appendix XI.) I ought perhaps to explain in that connection that the Baptists are not inclined to word such things as strongly as some, because of peculiar views with respect to church and state. They very commonly avoid any reference to the word vote; but from my own knowledge I can affirm that the prevailing opinion among them is in favour of prohibition.

16431a. And you yourself concur in the declarations of your convention personally?—I would state the case more strongly if it were left to me.

16432a. Perhaps you will make a statement of your views concerning the drink traffic, its effects and the best manner of dealing with it?—If the Commission will allow me, I think that I had perhaps better refer to experience had in another city before coming to this city. I came here three years ago. Before that I was for six years pastor of the First Baptist Church in Lawrence, Massachusetts. During that period, at one time there prevailed low license unlimited, then no license, then limited high license. I was engaged very actively in temperance work there; by that I mean prohibition, no license. I made more study of the question at that time than before or since. When I was first a resident of Lawrence, there were more than three hundred places licensed to sell liquor.

*By the Chairman :*

16433a. What was the population?—The population at the time of which I am now speaking was between 38,000 and 39,000. The actual number of licensed places, as given to me on one occasion by the Mayor, was 326 or 328. That included drug stores. But, since twenty-six or twenty eight drug stores would be enough to serve, legitimately, a city of that population, I may say that about 300 places were licensed to sell liquor as a beverage.

16434a. What year was that?—I cannot say in what year these figures were obtained. It may have been in 1885 or it may have been in 1886; I am not able to state positively. It may be of interest to the Commission to know the character of that city. It is a manufacturing city. Its prosperity depends on the prosperity of the mills, chiefly cotton and woollen mills. The population is very largely a mill population, and

is quite largely made up of foreigners. There are a great many Irish, a great many French-Canadians, many Germans, and many from the southern parts of Europe. The difficulties of enforcing any law, especially any liquor law, are very great there. With so many saloons and taverns, drunkenness was so prevalent as to awaken all the better elements of the citizens. At the end of 1887, the people voted no license, the law to go into effect on the 1st of May, 1888. For one year we had no license. Then the law was changed in the State, so that low license and unlimited license no longer prevailed. From that time it was limited high license. Except in Boston, every city of Massachusetts might have one licensed place for every one thousand of the population. That gave Lawrence thirty-eight licensed places, the census of 1881 having given the population as 38,000 and something over.

16435a. How far is Lawrence from Boston?—Twenty-six or twenty-seven miles. Great hopes were entertained by many temperance people—by many who were total abstainers, and who were opposed to the liquor traffic entirely—from limited high license in the city of Lawrence; and when we came to a vote, the next time the no-license people were defeated. There was a great reversal of the popular judgment, and we had limited high license for the succeeding year. It came into force on 1st May, 1889. The no-license period was from 1st May, 1888, to 1st May, 1889. I remained in the city during the years 1889 and 1890, and took part in the contest—the no-license contest in the last part of 1890, and came here in the beginning of 1891. If the Commission will permit me, I will illustrate what I am about to say with figures, which I gathered myself in connection with that last contest. I have compared half years, not being able to compare whole years. The convictions for drunkenness in Lawrence from 1st May, 1888, to 1st November, 1888, the no-license year, numbered 276. In the corresponding months of the next year, under limited high license, they numbered 747. In the following year, the second year of limited high license, the number rose to 985 for the corresponding months of the year. Then, I made investigation as to the number of intoxicated persons taken home by the police in those three periods. In the first period, the number was 41; in the second, 85, and in the third, 251. I also made investigations as to the number of women arrested for drunkenness. In the first period, there were 57; in the second, 118, and in the third, 171. Before commenting on these figures, it may be of interest to the Commissioners to know that I took a statement of these figures to most of the clergy of the city and to the representatives of the great mills, and obtained the signatures of nearly all the Protestant clergymen and of the leader of the Augustinian order, and of nearly all the agents or superintendents of the mills to the following statement: "In view of the terrible prevalence of drunkenness under limited high license, we, whose names appear below, urge upon every citizen of Lawrence, the duty of voting, no, in the approaching municipal election."

16436a. Was the number of women arrested included in the first figures you gave us?—Yes. This specification was made in order to show the effect of those conditions upon drunkenness among women.

16437a. You have given the figures from May to November: what was the reason for leaving out the period from November to May?—The election contest began in November, and since the law went into effect on the first of May, I could not make the comparison for more than six months. These figures were gathered in 1890, in the first part of November for use in the campaign, and the license year then on began on the first of May, in 1890, and therefore I took the first of May as the starting point, and the first of November as the terminating point for each year. There was no other reason.

16438a. You have not the figures for the intervening period?—No, I have not. It was hoped, as I have said, by some of the strongest advocates of temperance and total abstinence, that limited high license would do better than no license. That hope was based partly on the assumption that those who paid large sums for licenses would aid in enforcing the law, and that therefore there would be no more low dives, no more kitchen bar-rooms, no more hip pocket sales and the like. But those hopes were not justified by the event. All the evidence was to the contrary. The men who paid large

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sums for licenses would have been glad to control the business, no doubt ; but it was easier to desire it than to accomplish it.

16439a. Do you know which law is in force now in Lawrence?—This year I think it is no license. They have had ups and downs since I left.

16440a. It has been a pretty close vote, has it not?—A very close vote.

*By Judge McDonald :*

16441a. Do they take a vote every year?—Annually. In connection with the municipal election every man has the privilege of voting for or against license.

16442a. It does not require any petition?—No.

16443a. It is the same in the city of Boston?—The law applies to the whole State—every municipality ; the cities in the fall and the towns in the spring.

*By Rev. Dr. McLeod :*

16444a. Are we to understand, then, from what you say that the high license system did not prevent quite large illicit sale?—It certainly did not in that city. It had been supposed that Lawrence, being a manufacturing city and including in its population a great many lawless characters, would be an especially difficult city for the enforcement of a no license law ; and indeed it was a difficult city, and especially difficult that year, because we were surrounded by license communities. But in spite of that fact, under industrial conditions that were practically the same, and municipal conditions practically the same, there was that difference which these figures indicate. I am not aware that there was special activity on the part of the police in arresting people in one of those years more than in another.

16445a. Are you able to say whether there were more illicit places during that no-license year than during the high license period?—That was both asserted and contradicted. I had no means of knowing, and indeed I doubt if any one had means of knowing. That is one of the things which are moot points. It would be extremely hazardous to give an opinion on that matter.

16446a. Still, there was the belief that there was large illicit sale while there was high license?—There was no doubt about that. It was never contradicted or questioned. Another interesting fact appeared. In November and December of the year of no license, a man who was a member of the citizens' committee, to which I myself belonged, took pains to go through the city questioning landlords and provision dealers in regard to their business during that period ; and he published statements for distribution, and made the same statements in a great public gathering—and these facts were to my knowledge never either challenged or questioned—showing that landlords were collecting their rents far better than they had done for years from the working people, and that butchers were selling more meat, vastly more, especially in the bar-room localities of the city during the no license period than during the period before.

*By the Chairman :*

16447a. Did you say there was much illicit sale during the no-license period?—There was illicit sale during the no-license period. It was asserted that there was a good deal. There must have been ; we were surrounded by license towns.

16448a. Do you think the fact of liquor not being sold in the saloons forced it to a considerable extent into dwellings?—Doubtless that would be the effect. I cannot speak from personal knowledge, but we know that would be the effect of it.

*By Rev. Dr. McLeod :*

16449a. Are there any other statements you would like to make concerning Lawrence?—So far as I recollect at this moment, that covers all the points that I have any desire to communicate.

16450a. You know Toronto pretty well, I suppose?—I know a portion of Toronto very well.

16451a. Have you given attention to the license system here?—No, I have not.



16452a. As a pastor you, of course, come in close contact with the people. What is the result of your observation and experience as a pastor as to the effects of the drink traffic and habit on home life?—It is without doubt the great foe of home life. This I have observed, especially among the poorer people. In many cases our poorer families are living in unattractive, ill-furnished, comfortless houses. The place where liquor is sold is often better furnished and more attractive, and proves a very successful rival to the home; and the father, the husband, the son, goes out of his small house and finds an attractive place for spending the evening in the liquor saloon, and in that way is, of course, tempted to spend his earnings, to become a drunkard, and at length to cease to be a wage-earner.

16452½a. And in proportion as he does that I suppose his home becomes less attractive than ever before?—Less attractive than before.

16453a. Do you know anything which so much interferes with desirable social conditions and domestic comfort as the liquor traffic and the liquor habit?—I would be slow to dogmatize on that subject. As between the social evil and drink habits I would not hazard an opinion.

16454a. Anything that is responsible in the same degree for domestic troubles?—Nothing. I am clear about that.

16455a. And what is the effect of the drink traffic and habit upon the morals of the people?—It is both directly and indirectly corrupting. In some cases the wife, through the drunkenness of her husband, begins to tipple, and at last also becomes a drunkard. That happens not infrequently. Then, the neglect of the children is a most serious thing. When a father or mother becomes addicted to strong drink, neglect of the children is inevitable. One of the great dangers of city life, as I find it in Toronto, is this, that boys and girls almost from infancy are in the streets; in many instances, they are in the streets because their father and mother are drunkards; and there they are learning everything that is vicious. It is a wonder to me that we are not raising a larger crop of criminals than we are. I think that while all the peril in this connection is not to be charged to the liquor traffic and the liquor habit, a very large percentage of it is. I would state that from the observation I have had as a pastor.

16456a. And in such cases as you have mentioned the effects are more far-reaching than one could well estimate, are they?—I hope the Commission has in this investigation come across a case in Maine—I cannot remember the name or the place where one woman, a criminal, became within her own lifetime, the mother of something like a hundred criminals. Of course, that is a noted case, but the same danger is apparent on a smaller scale.

*By the Chairman :*

16457a. Was that through drunkenness?—Not drunkenness alone.

*By Rev. Dr. McLeod :*

16458a. But it illustrates the far-reaching effects of evil-doing in one person?—That where evil-doing is of such a character as to lead to parental neglect, the limits can hardly be measured.

16459a. Do you regard with favour the prohibition of the drink traffic throughout the Dominion, that is, the prohibition of manufacture, importation and sale?—I do.

16460a. You are, I believe, a Nova Scotian?—I am a Nova Scotian by birth.

16461a. Perhaps you will be able to tell us something of the conditions in Nova Scotia?—I am not favourably circumstanced for that. I left Nova Scotia before I was eighteen years old, and except for four years of study I was out of the province until I came here three years ago, except that I visit it occasionally.

*By the Chairman :*

16462a. Have you thought out the degree of prohibition that you would like to see prevail here in Canada?—I have not thought out all the details in its working; but I am a very radical prohibitionist.

Rev. O. C. S. WALLACE.

16463a. Would you stop the manufacture and importation for private use?—The manufacture for private use I would not be prepared to say I would stop. The importation for private use I would stop if necessary for the protection of the community.

*By Rev. Dr. McLeod :*

16464a. By manufacture for private use do you mean the manufacture by the person himself for his own use?—Yes. I understood the question to mean that.

*By the Chairman :*

16465a. I dare say that you know that the law of the State of Maine permits importation. When we get beyond that degree of prohibition, we are rather lacking of experience. Do you know of any community in which there is entire prohibition of the traffic except for medicinal, mechanical and sacramental purposes?—I have no knowledge of such, and therefore I answered as I did : if it were necessary for the protection of the community I would not stop at that point. I would justify prohibition on the ground of the public weal. With the advance of civilization, I think there is always some invasion of what some would regard as personal liberty ; and in this case, if the public weal demands it, we must have prohibition, in my judgment, of the most radical character.

16466a. Do you know anything of the workings of the prohibitory law in the State of Maine?—Not from personal knowledge. I have never resided in Maine.

16467a. You have spoken of the home life of the working classes. Do you think the provision of parks and places of amusement where the poorer classes can go, is beneficial?—I think it is exceedingly beneficial ; but for certain seasons of the year that does not affect them in the least. It is simply a provision for the warmer months of the year.

16468a. Suppose there were some attractive places in winter where they could go, do you think it would be a sort of counter attraction the saloon and tavern?—Undoubtedly, to some extent it would. It would have more value, I believe, as a counter attraction of illicit selling if there were prohibition, than it would be under license conditions.

16469a. But you look on these things as really beneficial, and as tending to diminish the evils of intemperance?—The evils of intemperance and all crimes. Too much attention can hardly be paid to that, I believe.

16470a. The discomforts of their home life, as you have described them, undoubtedly have a great effect on the working classes. Do you think that sufficient attention is paid to the instruction of the female portion of the community in domestic duties at the present day?—I am certain that sufficient attention is not paid to it.

16471a. Do you think that the fact that the husband's meals are not provided in an attractive way, and that otherwise he is not well attended to at home, leads him frequently to leave his home and go elsewhere?—I think the bad cooking of many women, and their unclean habits, to say nothing of their uncertain tempers, will frequently drive the man out ; and if a place where lights are bright and where liquor is sold is open to him, he is very likely to fall into the evil effects of the saloon or tavern.

*By Judge McDonald :*

16472a. In case of the enactment of such a prohibitory law as you favour, preventing manufacture, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—Inasmuch as such an enactment would certainly not come without there being sufficient signs of the times for these men to interpret, I would say no.

The Commission adjourned.

TORONTO, December 6, 1893.

The Commission met here this day at 10 a. m.

*Present :*

JUDGE McDONALD.

REV. DR. MCLEOD.

MR. E. F. CLARKE.

Judge McDONALD.—Before entering upon the taking of evidence, it may be well to mention under what circumstances the investigation by this Royal Commission is resumed in Toronto. At the previous sitting it was arranged, by a majority of the Commission present upon Tuesday the 31st of October, to close upon Friday the 3rd of November, and of this arrangement notice was given to parties interested. On Friday afternoon a document signed by several persons was presented to Sir Joseph Hickson, the Chairman. This contained a request that the investigation should either be continued, or should be resumed at a latter date. It was not thought desirable to continue the sitting at that time, and, inasmuch as only three of the Commissioners were present—Mr. Gigault having returned home and Mr. Clarke, the only Commissioner residing in Toronto, being then confined to his room by a severe sickness—caused or at least aggravated by fatigue and exposure while engaged in the work of the Commission in other parts of Ontario—it was thought better to defer a decision upon the question of a subsequent sitting; and the Secretary was instructed to inform the applicants that their request would be taken into consideration. At Montreal, last week, a meeting of the Commission was held, at which all the members were present; and, upon hearing a statement from Mr. Clarke, who earnestly requested that the investigation should be continued in Toronto, it was decided to resume the taking of evidence here to-day. I have to explain that Sir Joseph Hickson, the Chairman, who is not present, has been and is very much occupied with other business of the Commission just now, and that Mr. Gigault is unable to attend at this sitting.

REV. WILLIAM PATTERSON, of Toronto, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

16473a. Of what church are you a minister?—Cooke's Church, Toronto, of the Presbyterian Church of Canada.

16474a. How long have you resided in Toronto?—I have been pastor of that church between seven and eight years. I took my college course in Toronto.

16475a. How long have you lived in Toronto?—Between thirteen and fourteen years.

16476a. Where did you live before that?—In Ireland, County Derry.

16477a. Were you a minister there?—No.

16478a. Have you, in Toronto, a district by limits that makes your parish?—No; our members and adherents are in all parts of the city.

16479a. There is no system by which different sections of the city are divided among your different congregations?—There is a system by which our people do mission work over all parts of the city.

16480a. Are your surroundings residential or business?—Both. We have a great many of the working classes, mechanics, and those in different positions in life. We have some business men in that locality too.

Rev. WILLIAM PATTERSON.

16481a. Are there many licensed houses in that neighbourhood?—Oh, yes. Not just in the immediate neighbourhood of the church. It is on the corner of Queen and Mutual streets, and there are several, but not many, in the immediate neighbourhood.

16482a. Speaking as a pastor, have you found much misery and suffering caused by intemperance among people?—Yes; I have found a great deal in our own congregation.

16483a. During the time you have been in Toronto, have you found a change for the better in the habits of the people as to sobriety and temperance—a general improvement all along the line—less drunkenness and more people abstaining entirely?—I think there is. Public opinion seems to be going more against it, and I think the young generation are not as much given to it as others.

16484a. I suppose the different religious bodies and temperance societies have been exercising a beneficial influence, too, in that respect?—Oh, yes, they have been doing a good work in that way.

16485a. Have you a temperance society in connection with your church?—Yes, we have in connection with our Christian Endeavour.

16486a. Have you a total abstinence pledge?—Yes.

16487a. Is it taken for a limited time?—No, there is no reference to time.

16488a. Have you reason to believe that the liquor traffic, as carried on in Toronto, is well regulated?—I could not speak as to that.

16489a. I mean as to keeping closed on Sunday and Saturday night and not selling to minors or drunkards?—I could not make a statement in regard to that, because I have not an opportunity on Sunday or Saturday night of investigating.

16490a. Are you yourself favourable to prohibition?—Oh, yes.

16491a. What measure of prohibition?—Total prohibition.

16492a. Manufacture, importation and sale for beverage purposes?—Yes.

16493a. Would you make an exception of liquor needed for medicinal, mechanical and sacramental purposes?—Yes.

16494a. In case of the enactment of such a law, would you favour remuneration being made to brewers and distillers for plant and machinery rendered useless?—I have not considered that question.

*By Mr. Clarke:*

16495a. Would you under your prohibitory law prohibit the importation of liquor for domestic use?—Yes, I would be in favour of prohibiting it altogether. I might say that I spent two summers in the North-west Territory, where it was prohibited, and the law worked very well there. During those two summers I had a district of about sixty miles in extent, and there was no crime in it all the time I was there; except the stealing of one horse, which was done by an Ontario man.

16496a. What years were you there?—In 1881 and 1882.

16497a. Where was your district?—From the River Badger to west of Deloraine. It was at that time in the North-west. It is now incorporated in Manitoba.

16498a. What was the white population at that time?—I could not say what the population was, but it was fairly settled in the second year. I met a great many people up there who told me they were glad they were away from the temptation—people who had been drinkers in Ontario, and some in the old country.

16499a. Do you know what brought about the change in the North-west from prohibition to license?—No. Of course, people coming in from Manitoba brought it into the Territories with them.

16500a. That was prohibited, was it not?—It was, but they did it.

16501a. Would the fact that they were able to bring it in and defeat prohibition, prove that the law was well administered?—I suppose the same rule would apply to the breaking of the law against smuggling, and other laws.

16502a. Have you made any inquiries as to why the people abandoned the prohibitory law and adopted license?—I have not.

16503a. If the law was working well and giving satisfaction, what would prompt the people to abandon it and adopt a system of legalized sale. Can you give us any

light on that question?—No, I cannot. But I know it worked well. I was all over the district every two weeks.

16504a. Did you ever visit Maine or any of the other States of the Union in which prohibition is the law?—No. But we had a man in our congregation who was greatly addicted to drink; we had been working with him for a long time, and sometimes we would get him sober for a month or two, when some of his companions would get hold of him and he would be as bad as ever. He is now in Maine and getting along splendidly, because he is away from temptation.

16505a. Does he live in a country district or in a town?—He lives in one of the towns.

*By Judge McDonald:*

16506a. Do you know the name of the town?—No.

16507a. Before you left Ireland, had the Sunday closing law come into effect?—Yes. Of course, there are six cities excepted.

16508a. But none of those are in Derry County?—No; It had come in, and was working well.

16509a. Is it found to be still working well?—Yes; I believe it is; and I may say that I notice a wonderful difference between the old country and Canada as far as drinking is concerned, and I attribute that to the fact that here public sentiment is more turned against the liquor, and I think it is partly owing to the laws being more stringent here.

*By Rev. Dr. McLeod:*

16510a. I judge from what you say with reference to the member of your congregation who has moved to Maine that you regard the existence of the saloon as a constant temptation to a weak man?—Yes; I have found that in many cases. I have had young men come to me who wept like children and said that when with their companions they had not the will power to resist it, and were taken down in that way.

16511a. In a congregation like yours you have to do with a great many young men?—We have and a great many families who are in absolute poverty on account of their sons drinking. When they retain their situations, the money that should go to the family goes to drink. We have a great many such cases.

16512a. As a minister, can you recall any one thing that produces so large a degree of domestic misery and distress as the drink traffic and the drink habit?—No; there is not. I look on it as the national curse, from my experience, and I come across a great many cases.

16513a. Have you in Toronto a ministers' association?—Yes.

16514a. Has that association expressed itself, by resolution or in any other way, in regard to the drink traffic?—The Toronto Presbytery yesterday expressed itself.

16515a. Have you its resolution?—No. I saw it in the papers this morning.

16516a. Perhaps you can get us a copy?—I think I could.

16517a. Has the minister's association expressed itself in any way?—I have not been at any of their meetings for a long time, and I do not know what they have done. Mr. Burns, of the Woodgreen Methodist church, is I believe, Secretary.

16518a. Has it come under your observation as to whether there is much illicit sale of liquor in Toronto?—I could not say as to that. I have not had an opportunity of investigating.

16519a. Or whether there is sale by licenses in prohibited hours?—I could not say. I have been through the city on prohibited days, and I have not seen any under the influence of liquor on those days. I have taken special notice on those days to see if prohibition worked on the days that the saloons were closed, and, as far as I could see, it did.

16520a. Has your own congregation taken any position on this question as a congregation?—As a session we have, and in the different societies.

16521a. What is its attitude?—Strongly in favour of prohibition.

Rev. WILLIAM PATTERSON.

*By Mr. Clarke :*

16522a. Did the Presbyterian Church of Canada take any steps regarding the question?—Oh, yes; the General Assembly every year passes a resolution with regard to the traffic.

16523a. There were some questions submitted recently to the members of the various congregations throughout the Dominion by the General Assembly?—Of course, every year there are questions on temperance.

16524a. Are they submitted to the various congregations?—Yes, to every congregation, then they are brought into the Presbytery, from that to the synod, and from that to the General Assembly.

16525a. Would it be too much trouble for you to get us copies of the different questions sent out by the General Assembly during the last two years?—It would be very easy to get that.

16526a. When the Commission last met in Toronto, we had before us the Rev. Mr. Frizell, who has to do with the temperance work of the Assembly, and he showed us some questions that were submitted, I think, by means of the Sessions. Could you get us copies of those?—Yes. The questions, with the answers tabulated, are embodied in the proceedings of the General Assembly.

16527a. Would the questions prepared at the last meeting of the Assembly be embodied in those?—Yes.

16528a. The answers to those of course would not be ready yet?—No. The questions are substantially the same year after year.\*

16529a. Do they ask, do you remember, if you are in favour of the enactment now of a general prohibitory law?—Yes.

*By Judge McDonald :*

16530a. Is there any statement you would like to make yourself?—I do not know of any other statement. As far as I have seen of the traffic both in Ireland and here, it is wholly evil in its results.

16531a. Have you had any experience, except in the North-west Territories, of any place where such a prohibitory law as you desire was in force?—No, I do not think so.

REV WILLIAM BURNS, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

16532a. Of what church are you a minister?—I am a Methodist minister. Just now I have no church. I retired last June after forty-three years in the ministry. I live in Toronto just now.

16533a. Are you the Secretary of the Ministerial Association?—No, my son is—R. N. Burns. He is a minister in the city.

16534a. I suppose you have resided in a good many parts of Canada?—Yes, a good many. We move every two years.

16535a. Have you resided anywhere else than in Ontario?—I was one year in the Province of Quebec. That was the only year that I was out of Ontario.

16536a. We have had filed with us the general deliverance of your church in favour of prohibition, adopted in the fall of 1890. Do you personally concur in that?—Yes, I was present, and helped to bring that about.

16537a. So that may be put forward as expressing your individual sentiments?—Yes.

16538a. What is the measure of prohibition you favour?—We would take no limited measure; only total prohibition.

16539a. Importation, manufacture and sale for beverage purposes?—Yes.

\*NOTE.—See Appendix No. 5, Vol. I. for a summary of questions and answers submitted by Rev. D. Stiles Fraser, Convener of Committee on Temperance.

16540a. Do you know whether it has been considered by your church whether the effect of that would be to prevent individuals making beverages in their own houses for their own use?—I think not. We do not attempt to interfere with private liberty of that kind.

16541a. It would be with what is called the traffic?—Yes, the traffic.

16542a. Had you had experience yourself of any community in which a prohibitory law was in force?—Yes, I lived in a Scott Act community and in a local option community for a time.

16543a. Will you name them, please?—The County of Northumberland under the Scott Act, and the municipality of Mariposa in Victoria County under the recent local option. It went into force there a year ago last May, and is still in force.

16544a. In what part of Northumberland were you living at the time the Scott Act was in force?—At Warkworth, in the East Riding.

16545a. How did the Scott Act work there?—It came into force less than a year after I went there; I was there two years under its enforcement, and it worked as well as could be expected—as well as those local matters can be expected to work. Of course, there is more difficulty in enforcing a local law of that kind where the license law is in force near by; but as far as I know, it worked a great improvement in Northumberland.

16546a. How do you account for the repeal?—I was all through the fight—both as to the carrying of the Scott Act and as to its repeal—and my mind is thoroughly made up as to the causes of the repeal. From the first day of the enactment of the law, its opponents set themselves to bring it into ridicule, and they succeeded with a great many who were weak-kneed—to get them disgusted with the working of the Scott Act, under the opinion that there was more liquor sold under the Scott Act than under license. That we knew was not true, yet it was made to appear true to those who had the franchise in their hands; and it was thought that if the same liquor was sold and the same mischief done, with no revenue brought in, we ought to have licenses. They succeeded in getting a sufficient number who were influenced by that kind of talk to go against the Scott Act and in favour of a well-regulated license law to carry the repeal. That was the way it was repealed.

16547a. Did you observe whether a certain number of people who abstained from voting at the time it was first submitted came out afterwards and voted for its repeal?—I could not say as to that.

16548. What was your experience of the working of the local option law in Mariposa?—I know more about that than about the Scott Act in Northumberland, because it was brought about partly by my own efforts as a minister working in the locality. I was there during a little over a year of its enforcement, and a very great improvement was produced, though liquor was not all removed: some liquor was sold. Several prosecutions were brought on and some convictions were secured, but unfortunately some of the officers—I do not wish to be severe on the powers that be, because I am very loyal to them when they are half right, and even when they are not half right, I believe in being loyal to them until we get better—were in sympathy with the license business, and did not give the enforcement of the law a fair chance, until we corresponded with the authorities in Toronto who had control of the local officials, and orders were sent down that more careful attention must be paid to the enforcement of the law and to the imposing of penalties where proof was given of violation. After that we had a better show: certain fines were imposed, and people selling became more watchful and were not detected so readily.

16549a. Are there any towns in Mariposa?—There are several small villages—Oakwood and Mariposa and part of Manilla. Then, Woodville is near by, but it is not in the township.

16550a. The license law would be in force in Woodville?—Yes, and also in Manilla and Lindsay, which is in close contact with Mariposa. It was all around us, except on the south, where we were protected by Lake Scugog.

16551a. Have you had any experience of a prohibitory law in any other country than Canada?—No. I was born in Canada and have lived here all my days, except for an occasional visit to the States.

Rev. WILLIAM BURNS.

16552a. In case of the enactment of such a law, would you make an exception of liquors needed for mechanical, medicinal and sacramental purposes?—For mechanical and medicinal purposes I would, but for sacramental purposes I think it is not necessary to import it. The native wine now manufactured in Canada could be used for that purpose.

16553a. Do you mean the western native wine that is intoxicating?—I do not mean that. I mean the pure juice of the grape.

16554. In case of the enactment of a prohibitory law preventing manufacture in Canada would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I would if a plan were adopted by which a balance should be struck, putting on one side what the brewers and distillers would lose, and on the other side all the distress, poverty and crime, the loss of property and loss of life, that have been caused by the traffic. When they pay all that has been lost by the families in Canada in these ways, I would be willing to pay them the balance, if there was a balance.

*By Rev. Dr. McLeod :*

16555a. You seem to have an idea of equity in the matter?—I am a man of equity.

16556a. When you speak of native wines, I suppose you mean wines used for sacramental purposes?—Yes, I have used it for years.

16557a. Some people have an idea that in the wines of commerce there is very little of the juice of the grape?—I do not think there is much. I think it is mostly whisky.

16558a. During your forty years of life in Ontario, I suppose you have noticed a great change of public sentiment on the temperance question?—Oh, yes. Forty years ago we could not have any occasion, even a christening or a marriage, without a keg of whisky.

16559a. I suppose that in the change that has been brought about, the influences of the church in Christian teaching, and also the influences of the temperance societies, have wrought very effectually?—Yes, I think principally the churches. I have no faith in the strength and perpetuity of temperance organizations which have not a basis of religion as held up by the church.

16560a. You think these moral agencies have their basis in the Church?—Oh, certainly.

16561a. Have you noticed that as public sentiment has changed concerning the drink traffic, laws for the restriction of the traffic have kept pace with that change?—Yes, I think so; at least, they have kept at a civil distance, coming on behind.

16562a. Have you noticed whether laws restricting the drink traffic have had the effect of strengthening the public sentiment and promoting it?—Yes, on the principle that law is a great educator; and all the restrictive laws that we have had, notwithstanding the statements of some that they have weakened and thrown back the temperance sentiment, have, I think, even though weakly enforced, been steps in the right direction.

16563a. You regard the law, then, as a schoolmaster?—Yes.

16564a. You having lived in a number of places, it is of course possible for you to compare two communities, under license and under partial prohibition respectively. Comparing the two, what is the result of the comparison as to business conditions, the state of the people in their homes and the moral condition of the people?—It is a little difficult to make a comparison all round. You have to have the communities the same in all particulars except as to license and non-license. But my general impression has been that no business has been materially interfered with by the enforcement of the Scott Act or the local option law, and I am quite sure that domestic happiness and general thrift have been promoted by either of those measures.

16565a. So that the comparison of two such communities, in other respects nearly alike, is favourable to local option, even though only partially enforced?—I think so.

16566a. You evidently believe, from what you have said, that prohibition, though disregarded more or less, does good?—Yes. It is local option and local enforcement,



and it does as much local good as a local enactment of that kind could be expected to do.

16567a. The prohibition you have in mind, I suppose, is national?—Oh, yes. I would go for provincial prohibition if it were in the power of the provincial authorities to give it just as I would go for the Scott Act in a county or local option in a municipality. I would go for any restrictive measure on the liquor traffic; but I take these as stepping stones to national prohibition.

16568a. And you favour provincial prohibition only as tending to national prohibition?—Yes, because it would have the same disadvantages as local option in having license along the border.

*By Mr. Clarke :*

16569a. The Scott Act was carried by very large majorities in many counties, and we have had statements as to the general thrift, sobriety and other advantages it produced. Were those advantages not sufficient to counteract the influence of the liquor element in securing its defeat?—This is the difficulty. There are some people, I suppose, on the liquor side as well as on the prohibition side, who go for the laws and then think the laws can run themselves; and when they saw infractions of the Act, and saw how people were influenced to give evidence against the Act, so that it was almost impossible to get convictions under it, they concluded that the Act was at fault. The machinery for the enforcement of the Act was so feeble until it was strengthened afterwards that it was almost impossible to get convictions at all; and when they were got, they were quashed by higher courts. And when we did get machinery, we found that the Police Magistrates as a rule were tools of the liquor party—were appointees of the Provincial Government under the influence of the liquor party, and, with a few honourable exceptions, were bound to carry out the matter as favourably as they possibly could for the liquor business. To my personal knowledge, to mention no names, and no counties, one Police Magistrate used to come and preside in liquor cases, involving charges of illegal selling under the Scott Act, in such a condition that I will not stop to compare proportions as to the quantity of liquor in his stomach and the quantity in his pocket; but with more in his stomach than any decent man should carry, and more in his pocket than any decent man ought to have in a bottle. He sat on the bench and conducted cases under these circumstances; and any one can see that if it was possible to give a verdict for the defendant, it was done.

16570a. Was the attention of the government called to this?—Yes, many a time, but nothing was done.

16571a. Is it reasonable to suppose that in a county where the Act was carried by a large majority, the government would set up a magistrate against the wish of that majority?—Unfortunately, there are two things in this Dominion of which the Legislators of the Dominion are afraid: one of these things is the liquor question, and the other I won't name. Liquor men have no politics as a rule. Their politics is their business. Politicians know that, and therefore they can do as they please with men who carry their consciences to the polls; but they cannot do as they please with men who have their consciences behind the bars and in the bottles.

*By Rev. Dr. McLeod :*

16572a. Then a good deal depends on the officers as to the enforcement of the law?—Yes, a good deal.

*By Mr. Clarke :*

16573a. You know that the constables and the subordinate officers are appointed by the municipalities?—Yes. The constables do as they are allowed, I suppose; when they get a summons to issue, they issue it.

16574a. Did they look after the enforcement of the Act?—They did, I believe; but they did not consider that it was their business to look up infractions, and the local magistrates have nothing to do with these cases. Where there is a Police Magistrate appointed, they are entirely in his hands, and the other magistrates have no power at all in connection with them.

Rev. WILLIAM BURNS.

*By Judge McDonald :*

16575a. Was there an Inspector to that locality?—Yes.

16576a. Would it not be his duty to bring the matter to the notice of the magistrate?—We made him feel at one time that it was his duty, that if he did not, something would follow, and he was sharper after that. But take an Inspector who has his office in the same place as the Police Magistrate and the County Attorney, both of whom are concerned in these matters, and both of whom are drunkards, and then you can see how things will go. The Inspector in these circumstances did his duty when obliged to, and only then. The prohibition party sent a document very strongly worded to Toronto, and word was sent down to the Inspector that he must look after the business, and he did better after that. In fact the liquor men treated the Inspector so badly that he gave them to understand that they must keep the law or take the consequences hereafter.

16577a. Is there any further statement you would like to make yourself?—I do not know of anything except some little matters that came to my knowledge in Toronto in reference to the effects of liquor on social conditions. For instance, my youngest daughter, in whose house I am living, has had a good deal to do with the poor of this city, and no longer ago than yesterday she went to the house of a poor woman who had come to our door complaining of being hungry and starving and having no fuel. My daughter found the house in a terrible condition. Not a chair in the place, a bed in one room with a tick upon it, but no bedding, and signs of drink. And in every case that she has gone to investigate, she has found that drink was the principal cause of destitution and quarrelling.

*By Rev. Dr. McLeod :*

16578a. Have you in your forty years of ministerial life discovered any one thing that is as great a cause of these deplorable evils?—I would not say that the prohibitive system would cure every evil, because habit is a very powerful thing in the human race, and a great many would continue the habit even after the drink traffic was done away. But my experience is that drink has been the main cause of poverty and misery, and most of the evils existing amongst us ; that had we had no drink in our midst in the last half century, we would not have these evils in existence. There would have been some of them, because the human heart is depraved, and it would have produced some evils, but I think that nine-tenths of the evils that we have are traceable, directly or indirectly, to the drink system.

16579a. During your residence in Toronto have you observed whether there is much illicit sale of drink here?—I really cannot tell. I live on Shaw street in the western part of the city, and there are not very many hotels in that part of the city, and I am not a welcome visitor in those places. If I go where I am known, where liquor is sold illicitly, winks are given and signs are made, so that drinks are not given while I am there. So that I cannot say anything as to sales on Saturday night or on Sunday, or sales without license or things of that kind.

16580a. Perhaps you can tell us something about the position of the Toronto Ministerial Association?—I can tell you a little about that. I was at the meeting a week ago last Monday, when the question of the plebiscite came up, and no decision was arrived at, except this—that a committee was appointed to draft a resolution to be submitted on Monday next, when there is to be another meeting. All were in favour of prohibition, except one perhaps, and he is not a pastor of any church ; he is an outside preacher. But he was not afraid to be put on record as an anti-prohibitionist. Others took this ground, that moral questions should not be submitted to a popular vote at all. Many others of us thought that was a mistake—that this question was a legal question, though involving moral questions as well. This I might say more. At a meeting of the Methodist Ministerial Association last Monday, the question was brought up, and a unanimous resolution was passed in favour of the plebiscite, and those present pledged themselves to work in their congregations and in every way in its favour until the first of January, when the vote is to be taken.

JAMES STEPHEN, on being duly sworn, deposed the following :—

*By Judge McDonald :*

16581a. You reside in Toronto?—Yes.

16582a. You are an Inspector of Police?—I am Inspector of Police in No. 1 Division in this city.

16583a. How long have you held that position?—I have occupied that position nearly seven years. I have been a member of the force for over twenty-three years.

16584a. Were you a member of any police force before you were a member of the Toronto force?—No.

16585a. Do your duties as Inspector require you to look after the enforcement of the license law?—They do.

16586a. To what extent?—To the extent of suppressing the illegal traffic, and prosecuting offenders against the Liquor License Act, and seeing that those under license observe the law as to closing their places in proper hours, and so on.

16587a. Have you reason to believe that there is much illicit traffic in the city?—There is illicit traffic to a certain extent; I believe not to a very great extent. We have illicit liquor selling; our attention is continually called to it; and we have to be on the alert to keep it within bounds.

16588a. Speaking generally, in what kind of places is this sale carried on? in private houses or shops?—In some cases under the cover of a cigar license or an eating-house license, and sometimes, from the character of the person, without any license, owing to the person not being able to get a license.

16589a. What class of people besides those who have been disappointed in getting licenses?—The class of people who engage in that business belong to the criminal class. But that is only to a very limited extent. I believe that in the whole city there are not a great many illicit places. Of course, I speak with knowledge of my own division.

16590a. What is the limit of your division?—It is bounded on the east by Sherbourne Street, on the west by John Street, on the north by Queen Street, and on the south by Lake Ontario; that includes the island.

16591a. You have really the business heart of the city?—The business portion of the city.

16592a. What about the Saturday night and Sunday law?—The Saturday night and Sunday law in Toronto is very well observed indeed, from my observation. The absence of arrests or rows during prohibited hours, I think, speaks well for Toronto. Between seven o'clock on Saturday night and six o'clock on Monday morning it is the exception and not the rule to have any arrests for drunkenness.

16593a. How about sale to minors and drunkards?—We have not many cases before the court of licensed men selling to minors or to drunkards. Of course, in the cases of drunkenness that occur during prohibited hours, the liquor is invariably got in places not under license.

16594a. On the whole, then, you believe that the license law is well observed in the city of Toronto?—I believe it is.

16595a. A question about which we have been making inquiry, on which you ought to be well qualified to speak, relates to the treatment of habitual drunkards. In almost all the places which we have visited there appears to be a class of unfortunate people who get drunk so as to be troublesome; they are taken to the police court, sent to jail for a short term, liberated, and in a short time brought back to the police court; so that in some cases it is just a procession between the police court and the jail. What in your opinion is the best method of treating such people? It has been suggested by some that it would be well to provide a place where they could be kept for a lengthened period, perhaps an indefinite one, and given employment with a view to their reformation, and weaning them from the habit?—From my observation and experience, sending a drunkard to prison is no good. I have come to the conclusion long ago that drunkenness is not a crime, but a disease, and that our method of sending drunkards to jail is useless. In many cases the family of the drunkard are left to their own re-

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sources for the time being. Of course, in the case of a man who is utterly under the influence of drink and so overcome that he cannot abstain from it if he can get it, his family is better rid of him. But there are cases where a man takes a periodical spree and is sent to jail and will continue sober probably for months or years. In such cases I think it is wrong to send the man to jail at all. I would be in favour of having some institution under the control of the government where such people could be sent, and cured if possible, so that their industry could be utilized, and the proceeds of their industry could go to their families.

16596a. Have you had any experience of the working of a prohibitory law?—I should say that when we have such beneficial results from a temporary prohibitory law from seven o'clock on Saturday night till six o'clock on Monday morning, it would be a good thing to have it all the week and all the time.

16597a. Have you had any experience of the working of such a law, or what is called a total prohibitory law?—No.

*By Mr. Clarke :*

16598a. Do you believe the results would be correspondingly more beneficial if the saloons were closed during the whole twenty-four hours of each day of the week?—I think so.

16599a. You think that those people who are chronic drunks could not get liquor?—I have no doubt liquor could be had, notwithstanding the fact that we had a prohibitory law. We would have liquor just the same as we have stealing. We would have breaches of the law under a prohibitory law just the same as we have under the license law.

16600a. Did you ever give any consideration to the reasons which prompted the people throughout the province to repeal the Scott Act?—I have not given that matter any consideration.

16601a. Do you think it is well to make the trade disreputable—to put it into the hands of those criminal classes? Do you think any advantage would be gained by that?—No, I think not. I think the traffic should be repressed on all hands. I do not think it would be for the good of society to let criminals handle the traffic. If we are to have the traffic at all, let it be handled by respectable men.

16602a. Would you favour the passage of a prohibitory law yourself?—Personally I would, but not to the extent of not allowing a farmer to have cider from his apples or wine from his grapes.

16603a. Would you allow him to sell apples or the grapes to others to make cider or wine?—I would allow him to sell the apples or the grapes, but I would not allow him to sell the cider or the wine. He could only use that for his personal or family use.

16604a. In the case of citizens who had not the facilities for manufacturing wine or cider or beer or whisky, would you allow them to buy for domestic use what they required?—No; I think not.

16605a. You would allow the farmer to make for domestic use, but you would not allow the resident of the town to buy for domestic use?—No; I would not. There would be a traffic, and I am opposed to the traffic.

16606a. You would allow the farmer to make for his own use, but you would not allow him to sell?—That is it.

16607a. Would you allow anybody to make for their own use?—I would.

16608a. But not to sell?—But not to sell. I do not want to be misunderstood there. I would wholly prohibit what I would term intoxicating liquors—anybody making or selling those. I do not look upon cider or native wine in the same light as I do whisky, beer and other strong intoxicants.

16609a. They say what is called hard cider is pretty intoxicating. At all events, you would not allow anybody to manufacture beer or whisky or any liquor that would intoxicate?—No.

*By Rev. Dr. McLeod :*

16610a. It is your experience that the prohibitive clauses of the License Law can be enforced, and are enforced pretty well in Toronto?—I speak for Toronto; I say they

can be enforced in Toronto. Of course, as to outside of Toronto I am not in a position to speak.

16611a. Although there are some infractions of these portions of the law, you still regard them as very well enforced?—I consider that the license law in Toronto is fairly well enforced.

16612a. And because there are some sales by certain persons on Sunday or some sales without license, you would not favour the abolition of the Sunday features of the law? You keep the infractions of the law within a limit?—Yes.

16613a. I understood you to say that the people who sell illicitly belong for the most part to the criminal classes?—Yes, that is so.

16614a. Are there many violations by licensees, in the way of sales on Sundays?—There are a few every year, but not a great many.

16615a. I saw some time ago, I think in a Toronto paper, a statement about some saloon which was supposed to be the headquarters for procuring girls and sending them away to Chicago or some where else for immoral purposes. Do you recollect that, and whether it was a licensed saloon or an illicit place?—I did notice something in the newspapers about a matter of that kind; and subsequently I saw that the licensee over his own signature repudiated anything of the kind having taken place at his place. The place in question is not in my division; it is in No. 2 on Yonge Street. I do not believe there was anything in it.

16616a. I had not seen the denial. But what I wanted to get at was that while there is a belief that the trade is for the most part kept in the hands of somewhat responsible men, whether there are cases in which licenses are issued—unwittingly, of course—that is to be assumed—to men who are of another character. You do not know anything more about that than that the saloon-keeper denied the accusation?—No.

*By Mr. Clarke :*

16617a. Has there been any conviction in the police court in the last six months of any licensee for an offence of that kind?—No.

16618a. Or any trial?—No, there was no trial of any one for any such offence.

*By Rev. Dr. McLeod :*

16619a. Are there many juvenile criminals in Toronto?—A good many.

16620a. What are their offences chiefly?—Petty thefts and things of that kind.

16621a. Have you been able to determine whether any large proportion of these are made so by the neglect of their parents on account of the drink habit?—No doubt their parents being addicted to drink has been the cause of the children drifting into crime. Growing up like weeds, and running the streets, they begin to pilfer. There is no doubt that is the cause in a great many instances.

16622a. What is your rule about men who are found drunk on the street, do you arrest them or send them home?—We do not arrest in all cases. The instruction to the police is only to arrest a man when he is lying in the gutter and cannot help himself, and is liable to be robbed or frost bitten; but if any of his friends appear they are allowed to take him home. We only arrest for drunkenness when we cannot avoid it—when a man is acting disorderly, or impeding the sidewalk or breaking windows or something of the kind.

16623a. But if a man is heading homeward and is not creating a disturbance, though he may be taking up a good deal of the sidewalk, you do not take him up?—No, we do not want the police to interfere.

*By Judge McDonald :*

16624a. Is there any statement you would like to make yourself?—It strikes me that if we are to have a prohibitory law the Government should provide the proper machinery for carrying it out. I do not think we have the proper machinery in the country at present—I speak for the whole Dominion in this case—for carrying out a prohibitory law. I am of opinion that there should be a well organized police force independent of either Government or of local opinion to influence them in the discharge

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of their duty. If we had a prohibitory law, with a well organized Dominion force to carry it out, and with Stipendiary Magistrates to try cases of violation, we would have a very satisfactory law. Otherwise my opinion is that it would be a failure.

16625a. You think it desirable that both the Stipendiary Magistrates and the police should be appointed by the central government, not by the municipal authorities?—Not by the municipal authorities. By the central government.

16626a. You would remove them as far as possible from local influences?—Yes; and I certainly would not be in favour of the Government using it for political purposes, and making it a political machine.

REV. WILLIAM KETTLEWELL, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

16627a. You are a resident of Paris, are you?—Yes.

16628a. Of what church are you a minister?—The Methodist Church.

16629a. How long have resided in Paris?—But a few months.

16630a. Before that where did you reside?—Previous to that at Norwich, in the County of Oxford. Previous to that at Oakville, in the County of Halton.

16631a. We have had placed on record the resolution or deliverance of the General Conference of your church at Montreal in 1890, on the question of prohibition. Do you individually concur in that finding?—Yes. I was Secretary of the Committee and drafted the resolution.

16632a. You yourself favour the enactment of a prohibitory law, then?—Yes.

16633a. What extent of prohibition?—The prohibition of the manufacture, importation and sale for beverage purposes.

16634a. Would you make an exception in favour of liquor for mechanical, medicinal and sacramental purposes?—For mechanical and medicinal purposes. I would be sorry personally to make an exception in favour of liquor for sacramental purposes.

16635a. In case of the enactment of such a law would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—No.

16636a. Speaking as a pastor, what has your experience been as to the effect of drunkenness in families in the communities where you have lived?—I have found it very deplorable. No one thing has interfered more with me in my pastoral work than intemperance—the evils growing out of intemperance.

16637a. You have found, then, that a great deal of suffering and misery is caused by intemperance?—A great deal.

16638a. Have you noticed during the last few years that there has been an improvement in the habits of the people as to sobriety and temperance?—There has undoubtedly.

16639a. Do you find that the churches and the temperance societies have produced a beneficial effect in that line?—Yes, and I think that the Scott Act, although it was in many respects a failure, had a good educative effect, so that to-day the moral sentiment on the subject of drinking is higher than it was before, very largely in consequence of the agitation in the campaigns.

16640a. Have you had experience yourself of the workings of the Act?—Yes, in two counties—Oxford and Halton.

16641a. What was your experience in the County of Halton?—I was one year in Oakville, which is the largest town of the county; and during that year I had no reason to believe that the law was being violated in the town at all. I saw two cases of drunkenness, but I learned that the liquor had been brought from Toronto on a Saturday afternoon. These were the only cases I saw that year.

16642a. Had you a good magistrate in the county?—Yes.

16643a. Where did he reside?—At Oakville.

16644a. Is that Mr. Young?—Yes. I was specially impressed with the contrast between the condition of the town in that year of the Scott Act and its condition in the two following years of license. Oakville is a place that is visited very largely by excursionists from the city of Toronto, and the town became a perfect pandemonium on several occasions through these excursionists getting drunk. On one occasion the hotel-keepers were compelled in self-defence to close their bars on account of the rowdyism growing out of the sale of liquor. The contrast was such that it very much confirmed my feeling that even local prohibition, though very defective, is preferable to license.

*By Mr. Clarke :*

16645a. Do you remember in what year that exhibition of rowdyism took place?—It was the first year after the Act was defeated in the County of Halton. It would be in the year 1888. I went there in 1887.

16646a. On one Saturday afternoon the hotel-keepers had to close up their bars?—Had to close up their bars on account of the excited nature of the crowd of excursionists who had obtained liquor from those bars.

*By Judge McDonald :*

16647a. To what do you attribute the repeal of the Scott Act in the County of Halton?—Mainly to a political deal between a limited number of Conservatives and a limited number of Reformers, especially in one of the townships.

16648a. In what way?—A by election was in progress. The majority in the constituency is a very narrow one, sometimes being twelve or fourteen in favour of one of the political parties. Some of the Conservatives in that township who were opposed to the Scott Act said to some leading Reformers, "If you will assist us to defeat the Scott Act, we will assist you to put in your Reform candidate." The results justified the compact. The Scott Act was defeated—not by the towns, for both Oakville and Milton gave a more favourable vote than ever before, but by this township in particular, where there was a change of vote that confirmed us in the conviction that such a compact had been affected in it.

16649a. How was this compact discovered—what proof was put forward of it?—I am not personally able to give any proof.

*By Mr. Clarke :*

16650a. Do you know that there was such a compact?—I am very certain of it.

16651a. You have no proof of it?—No proof of it.

16652a. Who represents the constituency now in the Local House?—Mr. Kearns. He is a Conservative.

16653a. How long has he represented it?—I think two terms. The by election I speak of was for the House of Commons. Mr. Kearns was elected in 1887.

16654a. Is he a temperance man?—I think he is.

16655a. Would he allow the Scott Act to be repealed on condition that he should represent the constituency?—I do not think he would.

16656a. Who is now the member for the Commons?—Mr. Henderson. But it was Mr. Waldie, a merchant in Toronto, who was elected after that vote on the Scott Act.

16657a. Both representatives of that constituency at present are total abstainers and prohibitionists, are they not?—Yes.

16658a. Can you conceive it possible that they would make a deal with anybody one of the conditions of which was that the Scott Act should be repealed?—No, I do not think they were parties to it. I refused at first to believe the rumour, but things that came to my notice subsequently changed my opinion.

*By Judge McDonald :*

16659a. The rumour, at any rate, applied to a limited number of people in one of the townships?—Yes.

Rev. WILLIAM KETTLEWELL.

16660a. How can you account for it, in view of the beneficial effects of the Act, that so small a number of people could upset it?—The Scott Act had been carried with a very much smaller majority in Halton than in most other counties. Both Oakville and Milton gave a more favourable vote for the Act than before.

16661a. Do you believe that prohibition is more necessary for urban communities than for rural districts?—Decidedly.

16662a. And that its effects are more beneficial in urban communities, towns and cities, than in rural districts?—Most certainly. The Act was repealed by the change in the rural districts that were least affected by it.

16663a. And it was among the farmers that this agreement was made?—Yes.

*By Mr. Clarke :*

16664a. Do you remember what township it was?—It was the parts of two townships lying south and east of Milton.

16665a. How many townships are there in the county?—Four, I think. It was part of the township of Trafalgar and part of the township lying north of Trafalgar : Nassagaweya.

16666a. A political deal was made between political parties in parts of these two townships?—Yes. It was south and east of Milton, Omagh being the centre of the political influence.

16667a. Was there a marked change in the vote of those sections of the townships as the result of this deal?—I think perhaps barely enough to make the change in the majority.

*By Judge McDonald :*

16668a. Judging from your observation of the effects of the Act in Halton, was it a matter of surprise to you that the people should throw out the Act?—It was.

16669a. How about the County of Oxford?—The law was not as well enforced in the County of Oxford as a whole as in the County of Halton. It was undoubtedly violated largely in Woodstock and in Norwich, where I afterwards resided ; but in Ingersoll it was as well enforced as any other law during the two years I was there.

16670a. To what do you attribute the repeal of the Act in Oxford?—Partly to the defeat in the County of Halton. I think that had a very large sentimental effect over the other counties ; for an artificial importance had been given to the County of Halton on account of its being the first county, I presume, to adopt the Act, and also the county that had it in force for six years, and partly to the difficulty of enforcement in the town of Woodstock, which gave an unfavourable vote as a municipality ; and partly because the people expected too much from a local option law.

16671a. To what do you attribute the non-enforcement in Woodstock?—Partly to the existence of a majority sentiment in the town against it.

16672a. The magistrate in Woodstock is Mr. Field?—Yes.

16673a. He was very earnestly desirous of carrying out the law, was he not?—I presume so.

16674a. That is the opinion I have heard in reference to him. So that the fault, you think, was not with the authorities, but in the state of public sentiment being so closely against the Act in that particular town?—Yes, and the inactivity of the License Inspector.

16675a. Was that Inspector continued in office?—He was.

16676a. Were any representations made in regard to him?—There were.

16677a. Was no attention paid to them?—Very slight.

16678a. That would be the Inspector for the North Riding of Oxford?—Yes.

16679a. How was it in South Oxford outside of Ingersoll?—I spoke just now of Norwich. I presume the enforcement of the law was more faulty there than in any other part of the South Riding. In Tilsonburg there was a fair enforcement, but not anything like what there was in Ingersoll. Outside of the towns I think the law was very fairly enforced.

16680a. Have you had experience in any other place than those two counties of the working of a prohibitory law?—No.



*By Mr. Clarke:*

16681a. Did you consider that the Scott Act was an educator in Oxford? In Woodstock what kind of an educator was it?—I am afraid its tendency there would not be helpful to prohibition. In Ingersoll I believe it was an educator in what I consider was the right direction; and the activity and the state of public sentiment in Ingersoll to-day, I find on inquiry, bears me out in that opinion.

16682a. You consider, too, on the whole, that notwithstanding the repeal of the Act all through the Province of Ontario when an opportunity was offered, it had a beneficial effect, and that beneficial effect is still felt? Can we come to that conclusion?—Yes, in one respect. I think the beneficial effect is mainly in a better sentiment of the community with regard to bar-room treating and the use of liquors generally. I think that kind of thing is looked down upon more generally than it was before the Scott Act came into operation. The very fact that it had been made unlawful in some counties for a certain time had a good sentimental effect in regard to treating and the use of liquors generally.

16683a. Would you extend prohibition to the domestic use?—I would.

16684a. Would you prohibit citizens bringing in liquors for their own use?—I would, just from the public standpoint. If the importation were allowed, it would increase the opportunities for sale.

16685a. General Neal Dow gave evidence before this Commission, and I asked him the question, whether he would favour an amendment to the Maine law that would deprive the citizens of Maine of the privilege they now enjoy of bringing in liquor for their own use. He said no, it would be an interference with individual rights. You go further than that?—I recognize the interference as being only incidental, and as being justified by the advisability of enforcing a prohibitory law which fully prohibited the sale, and importation and manufacture.

16686a. Would it be reasonable to conclude that it was because the majority of the people in the constituencies where the Scott Act was in force, concluded that the law was being steadily and persistently violated and was not being efficiently enforced, that they voted it out?—I would rather put it in this way, that they compared the enforcement of the Scott Act with perfection rather than with the enforcement of the License Law, and that finding that the enforcement of the Act was not perfect, they unreasonably became dissatisfied.

16687a. But the resort was the license system again: they must have had that before their minds?—Yes, but they expected a great deal more from the Scott Act than from the License Act. They expected a better enforced law than they had under license.

16688a. Is it fair to conclude that they preferred the condition of things under license to that which had been introduced under the Scott Act?—Perhaps they did, but there are other considerations. I think a great many members of the Reform party felt that it was an injury to their party to enforce it strictly, and that in the interests of the party it would be best to repeal the Act.

16689a. Would there be the same liability to evade the responsibility of enforcing a prohibitory law?—There would be a tendency in that direction; but if the law obtained over the whole Dominion and there was no patronage anywhere, and no one licensed anywhere, the Government would be more free to enforce the law without injury to the party than where the law obtained in one place and not in another, and where in certain parts of the country they had patronage at their disposal in connection with the license law.

16690a. You evidently do not believe in making political capital out of the traffic?—I do not.

16691a. I suppose you have examined the criminal statistics of the County of Oxford?—No, not particularly. I have looked at the statistics of the counties in general, but I do not remember anything with reference to Oxford particularly.

16692a. If you examine the statistics for the four years previous to the Act, the four years of its operation, and the four years afterwards, they might throw some light

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on the question why the people of Oxford repealed the Act?—I prefer taking the statistics of all the counties together, and I think they favour the condition under the Scott Act as compared with the condition under the Crooks Act. Take the eighteen counties that were not handicapped by cities not under the Act, and you will find the comparison very favourable to the Scott Act.

16693a. Have you got those statistics?—I have not them with me.

16694a. Will you send them to the Secretary?—I shall be very glad to do so.

*By Rev. Dr. McLeod :*

16695a. You spoke about a majority sentiment in Woodstock against the Act. Are we to understand that on the vote for the adoption of the Act, the majority in Woodstock was against it?—Yes, very largely.

16696a. Did you observe whether the officials there were out of sympathy with the enforcement of the Act?—With the exception of the Police Magistrate, I think I do no injustice to the county and Government officials in believing that they were all out of sympathy with the enforcement of the Act.

16697a. And you think a great deal depends on the sympathy of the officials as to the enforcement of any law?—Yes, I think it does.

16698a. Perhaps you would care to make a statement in a general way of observation and belief on this whole matter of the prohibition of the drink traffic, in addition to the questions that have been asked you?—Yes; if I can do it without detaining the Commission unduly. My reason for advocating a prohibitory law is that the traffic as it exists to-day, under present restrictions, and as I think the best restriction that could be thrown around it apart from a prohibitory law, is the source of a great deal of evil, a great deal of suffering in families, wives and children, is the source of a great deal of immorality, crime and a certain proportion of lunacy, is also disastrous financially, not only to individuals, but I believe it is against our policy as a nation to foster and encourage a traffic that is so wasteful. Therefore, in the interests of society, apart altogether from the question of the rightness or wrongness of the traffic in itself, just as we protect society from other evils, so we ought to protect society from the evils that flow from this traffic; and the only adequate protection, as we have found by our experience for a great many years, is in prohibiting the manufacture and importation as well as the sale. And although there will be an undoubted interference with personal freedom and liberty in the enactment of such a measure—I speak more especially of those who are addicted to the moderate use of liquor in their homes—yet that interference ought not to be a sufficient ground for prohibiting the traffic; for the higher our state of civilization the more largely our personal liberties are interfered with in the interests of society in general. I feel, too, that there is perhaps no country in the world where prohibition would have a better chance of enforcement than in the Dominion of Canada. To-day the traffic is under greater restraints in Canada than anywhere else; there is a smaller vested interest; there is a smaller proportion of our population whose appetites would tempt to violate the law; there is a better moral sentiment; we have a more law-abiding and law-respecting community; we have a very small foreign element to deal with; and if the administration of law were in the hands of the provincial or the Dominion authorities instead of the municipal authorities, I think the probabilities of a rigid enforcement are very much greater here than they can possibly be in any State of the Union or anywhere else under the sun. For that reason I am very strongly in favour of the enactment of the law.

REV. MR. KETTLEWELL subsequently forwarded to the Royal Commission the following letter:—

PARIS, Ont., 1st February, 1894.

To the Chairman of the Royal Commission.

DEAR SIR,—I desire to qualify and correct certain statements that I made before the Commission at its recent sitting in Toronto, with respect to the defeat of the Scott Act in the County of Halton. I spoke from memory and was inaccurate in one or two particulars.

I stated that the vote in the Scott Act contest was largely influenced, in a certain portion of the county, by a deal between local politicians, which deal resulted in the defeat of the Scott Act and the return of Mr. John Waldie to the House of Commons.

I find that Mr. Waldie was not a candidate at the election of February, 1888 (which was the election I had in my mind), but that Mr. Wm. McLeod was the Liberal, and Mr. Daniel Henderson the Conservative candidate, and that Mr. Henderson was elected.

I further desire to say that a close analysis and comparison of the returns for a number of Halton contests (political and Scott Act), convinces me that while colour is given to the statement that a deal was effected, and a number of votes influenced by it, yet the alleged deal was not in itself sufficient to account for the defeat of the Scott Act in Halton in March, 1888.

I have the honour, sir, to be,

Your obedient servant,

WM. KETTLEWELL.

FLORENCE KINTON, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

16699a. You are an officer of the Salvation Army?—Yes.

16700a. What is the official position you hold?—Just now I am on the staff of the *War Cry*; but I have been in charge of the Drunkards' Home for Women in connection with the Salvation Army.

16701a. Was that in Toronto?—Yes.

16702a. Will you briefly state how that home is carried on, and such facts in connection with it as you think would be of value to us?—It was opened simply for drunken women in connection with the Rescue Home for Girls, but distinct from that. At any hour of the day or night we admitted women who had been the victims of intemperance. In the course of the year we had 160 women in the Home. Some of them stayed for a few days, and some for six or eight months; the majority of them stayed a month or two. I saw, while there, an enormous amount of intemperance and suffering caused by drink.

16703a. Were those women of different ages?—Yes, of all ages and all grades.

16704a. What age would the youngest of them be?—About twenty. Those under that age would go to the Rescue Homes.

16705a. And from twenty up to old age, I suppose?—Yes, up to quite eighty, but they were chiefly younger, and in all grades and in all stages of intemperance.

16706a. Would you get situations for those who remained for only a few days?—Yes, in many cases we got them situations.

16707a. What did you find the results in such cases to be—beneficial?—We found the results in very many cases to be very beneficial. The trouble was that as long as they remained in the Home where there was no sound or sight or mention made of drink of any sort, as long as we had a partial prohibition, they were all right, and many were of the most lovable and intelligent and industrious dispositions that one could wish to find. But the moment they came in any way in connection with the sound or sign of drink, it was all up with them, and it was very often after they left the Home and were in situations.

16708a. The drink, then, had complete control over some of them?—Very largely. I consider, as the Inspector said, that in very many cases drunkenness ceases to be a crime and becomes a disease, and they have no more control over it than they would have over a cancer.

16709a. In some of the cases, were the beneficial effects of your having looked after them permanent?—Yes, and some of them are standing to this day.

16710a. And I suppose that in your work you do not confine yourselves merely to keeping them from drink, but also to endeavour to bring Christian influences to bear on them?—Oh, yes: we believe that is the root of it. In many cases where they are most anxious to do right, they are not able to do it, if they are anywhere within reach of the whisky.

Rev. WILLIAM KETTLEWELL.

16711a. Do you believe there are many cases where the drink habit has got such control of people that no human power is able to rescue them, either their own power or anybody else's?—Yes, impossible, unless they can be separated entirely from it.

16712a. You heard the Inspector's evidence as to there being no benefit done to men convicted of drunkenness by sending them for short terms to jail. What would be your opinion?—I quite agree with him in all he said.

16713a. Is there any further statement you would like to make about your work?—I have also been a good deal in connection with the Children's Shelter, and I think in almost every case the suffering among children has been brought on through intemperance in some way or other. I consider that immorality is very closely connected with intemperance, and the suffering among children is in almost every case due to intemperance. I consider that there is far more of it in Toronto than people have any idea of.

16714a. I suppose the Salvation Army is brought more into contact with that sort of thing than any other organization?—Yes, I think that in some respects we are in almost a better position to judge than the police, because the feeling in Toronto is very friendly towards the Army; and whilst the wrongdoers regard the rescue officers as their friends, they look on the police as their foes; and very often we are in a position to see things that the police would not.

16715a. Have you lived in other places?—I was born in England.

16716a. Have you lived in other places in Canada than in Toronto?—Very little.

16717a. You are not able then, to compare the state of things in Toronto with the state of things in other cities?—Not very much, but as far as I know, Toronto compares very favourably with other places.

16718a. Do you think the license law is carried out very fairly in Toronto as compared with other places?—Yes, I know that; but I know also that it is quite easy to evade it. Any person at any time on Sunday or at any other time can easily get enough liquor to make them drunk.

16719a. Do you know how they get it?—In some cases they get it by saying that they require it for medicinal purposes, and they get a little at different places in this way; and in a very large number of places—places of evil reputation—they can get it on the sly, to a far greater extent than people really realize.

16720a. Comparing England and Canada, in which do you find the better state of things?—Oh, beyond all comparison, in Canada, in every way.

16721a. Does drunkenness prevail much among women in England?—Yes, very much.

16722a. Very much more than in Canada in proportion to population?—Yes, in proportion, very much more.

16723a. Is there any other statement you would like to make?—I am very strongly in favour of prohibition—I have not said that yet—with all the earnestness I am capable of. Although it might interfere with the personal liberties of some people, at the same time it is the greatest possible good for the greatest possible number of the community.

*By Rev. Dr. McLeod:*

16724a. Amongst these unfortunate women are there many mothers?—Yes, a great many of them are mothers, and in almost all cases the children inherit the taste for the drink in an aggravated form. Although the mothers may be of the most lovable dispositions when sober, whilst they are drunk the children suffer tortures untold. Just as an instance, one little girl came to us whose mother spent most of her life oscillating to and fro between the jail and the saloon, and this little girl was left to run the streets. When she came to see us she was scarred from head to foot; she had wounds on her head and in other places where a red-hot poker had been put on her. We had another with her ankle put out of shape. I do not want to harrow up your feelings, but I could give you a great many instances to show you the depths to which drink will sink them.

16725a. You take the children in too?—Yes ; but in proportion to the thirty we take we have to refuse three hundred.

16726a. Of these women who are taken care of by you, are many or all immoral in other respects?—Yes. The two things are closely connected.

16727a. Are there exceptions?—Yes, but they are very few. If a woman craves drink, she must have money.

16728a. Have you found in many cases that they began to tamper with the drink when young?—In many cases the taste is hereditary. In many cases the parents have been moderate drinkers. Some have been the daughters of clergymen and other thoroughly respectable citizens, but from the moderate drinking in their childhood imbibed a taste for the drink.

16729a. Do you find that any percentage of those unhappy people have fallen from so-called good homes?—Yes, in many cases ; but in many other cases the taste is handed down from generation to generation, but it grows in a continually increasing ratio.

16730a. I suppose we are right in saying that in those cases the open licensed drink shop is a constant temptation to those people?—Is it not more than a temptation? It is an impossibility for many of them to pass it, when they have this hereditary taste so strongly developed—the women perhaps more than the men.

16731a. From your conversations with them in their rational hours, do you find a desire on their part to refrain from drink if they were able?—Yes, almost without exception, of the one hundred and sixty they were all anxious to be away from it.

16732a. One hundred and sixty distinct cases in one year?—Yes, I think those were nearly all distinct. There may have been one or two who were repeats.

16733a. And is it your opinion that if the drink shops were closed, a great many of those would, and with gladness on their own part, refrain from drink?—It is.

16734a. And refraining from drink, would refrain from other immoralities that attend on their drinking habits?—Yes, and I think the benefits that would be derived would affect not only them, but a great many others connected with them—husbands and children and connections.

16735a. Have you been able to observe whether this condition of things is increasing or decreasing here?—I think it is decreasing.

16736a. Doubless attributable partly to the efforts of your own organization and to other Christian influences?—I think it is largely to Christian influences, our own and others. I think there is a great deal of Christian temperance effort in Toronto.

AGNES COWAN, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

16737a. Are you an officer of the Salvation Army?—Yes. I am manager of the Toronto Rescue Home, and I am Lieutenant on the staff.

16738a. We had a witness of your name at St. John?—Yes, it was I. I was stationed there at that time.

16739a. What do you say as to your experience in Toronto?—I have been stationed here since June. I was away for three years.

16740a. Comparing Toronto with St. John, what do you say?—Of course, Toronto is a larger city. There was a great deal of drinking in St. John.

16741a. Perhaps you can make a statement about your Toronto work?—Yes. Last night I went through the statistics of the Toronto Home for the past year, and I found that out of eighty-six who have passed through, about thirty have been persons who drank.

16742a. These are rescue cases—persons of immoral habits?—Yes.

FLORENCE KINTON.

*By Mr. Clarke :*

16743a. What about the other fifty-six ?—We find some of them indirectly traceable to intemperance. Their parents were addicted to drink, and they were thrown on the world.

16744a. What proportion of the fifty-six ?—About twenty.

16745a. And thirty-six abstainers ?—They are not always abstainers ; but so far as I could find out from their own testimony, I do not think drink had anything to do with their fall.

16746a. These statistics are based on the statements that the persons who come to you for assistance, make themselves ?—Yes, largely. We try to prove them as far as possible. Out of the eighty-six about eighteen were casuals, just in for a night or two. Most of these were drink cases. Of course, we see that intemperance is a great cause of immorality in connection with this work.

*By Rev. Dr. McLeod :*

16747a. I suppose the statement you made in St. John, is confirmed by your further experience, that intemperance and immorality are closely allied ?—Yes, I think so.

16748a. You speak of eighty six cases in your Home : that is the number you have had since what time ?—From December 6th of last year until now.

16749a. What are the ages of these cases ?—We had one as young as fifteen ; but they are principally from sixteen up to twenty-two.

16750a. Do you succeed in reforming many ?—Yes, those who are converted.

16751a. Is that a large proportion ?—I should say more than half. Although they may not be converted, the influence of the Home helps them. They often fall on account of not having any place to go to.

16752a. You secure situations for them ?—Yes.

16753a. And then keep track of them ?—Yes. I think that doing away with the liquor traffic would greatly help in social reform.

16754a. Do many come to you voluntarily ?—Yes ; some.

16755a. But the most of them you seek for ?—Some come through the police and some through the officers in the different city parks.

16756a. I suppose some come to you sick and broken down ?—Yes.

16757a. And I suppose they are persons from almost all grades of society ?—Yes. Of course, more of the lower and middle classes than the higher.

16758a. Do you restore some to their homes ?—Yes, when they wish to go home and their parents wish to have them.

16759a. You find sometimes that their parents are unwilling to have them, and some are unwilling to go to their homes ?—Some are unwilling to let their parents know of their degradation.

16760a. Do you have them from the country, or are they principally confined to the city ?—There are a few cases from the country, but they mostly belong to Toronto. They are mostly young girls who have been in factories or in situations, and have not been careful.

*By Judge McDonald :*

16761a. Is there any further statement you would like to make yourself ?—Nothing, only that I think prohibition would help the state of society.

16762a. You mean prohibition that would be carried out so as to do away with the traffic ?—Yes.

*By Mr. Clarke :*

16763a. Did you see anything of the operation of the Scott Act when you were down in New Brunswick ?—No, it was license in St. John. I heard that it was carried out successfully in the State of Maine, but I do not know anything personally.

ARCHIBALD C. GAVILLER, M.D., on being duly sworn, deposed as follows:—

*By Judge McDonald :*

16764a. Where do you reside?—At Grand Valley, in the County of Dufferin, thirteen miles from Orangeville.

16765a. How long have you resided there?—Between eleven and twelve years.

16766a. Were you a resident of the County of Dufferin when the Scott Act was in force there?—Yes.

16767a. Will you state how that Act was carried out, and the results of its being in force?—At the commencement the hotel-keepers kept the law pretty well. They thought it was going to be enforced. At that time there were two sets of officials—one set for the McCarthy Act and the other for the Crooks Act, and we do not know which we were under. But there was no effort made to enforce the Scott Act by the officials, and the liquor sellers became demoralized, and in the latter part of the first year did what they pleased. In the second year the McCarthy Act was declared *ultra vires*. Then we made an effort to enforce the Act, when the Dominion Government passed an Order in Council directing the fines to be sent to Ottawa, so that we were left without funds.

16768a. In what year was that?—That was in 1886, the second year of the Scott Act.

16769a. Was that order in reference to the fines passed in the fall of the year?—No. I went to Orangeville in July, when I was told that the fact of the fines being sent to Ottawa prevented the proper enforcement of the Act.

16770a. How long did that state of things continue?—Until some time in the winter; and then the Dominion Government passed another Order in Council directing that the fines should be paid to the county council, to be used for the purposes of the Act. We then applied to the Ontario Government for a new Police Magistrate, who after some delay was granted to us.

16771a. In place of the one then in office?—Yes.

16772a. What was the trouble with the one in office?—He would give no account of the fines, and it was commonly supposed that he did not administer the fines properly. That was Mr. Fisher Munro. We could not get any satisfaction out of his administration of the Act.

16773a. How did you find his decisions in trials under the Act?—His decisions were pretty fair; but after the money was collected he never gave any account of it. This brought the law into contempt. A great many people believed that he used the money for private purposes. A great many fines he did not collect the whole of. He would take ten dollars of the fine, and under the Act after you take ten dollars you cannot distress for the remainder. However, in the third year we had another Police Magistrate appointed, and the Act was then very well enforced in that county. On the whole, from my observation, there was less drunkenness in the county under the Scott Act than there was under license.

16774. How do you account for the repeal of the Act in Dufferin?—The people became wearied, thinking the Government was not going to enforce the law. The majority against it was very small—199; and I am satisfied that if we had had it for three months longer there would have been a majority in its favour.

16775. Is there an attempt to re-enact the Scott Act in the county?—We have local option in our part of the county.

16776a. Have any steps been taken to put the Scott Act in force again?—The most of the county is under the Crooks Act.

16777a. You spoke of the enforcement of the Scott Act by what you called Crooks Act officials. Did those officials grant druggists licenses under the Scott Act?—They had the power. I do not know as any were granted by them.

16778a. Who did grant them?—I know of one that was granted by McCarthy Act officials.

ARCHIBALD C. GAVILLER.

16779a. How was liquor obtained for mechanical, medicinal and sacramental purposes?—Some of the druggists, I have no doubt, sold it, but I have not personal knowledge of it.

16780a. Were the men who sold in violation of the Scott Act, new men, or men who had been previously in the business?—Previous license holders principally.

16781a. Were there any new men?—I think there were some, but they were principally previous license holders.

16782a. Was the law administered anywhere in the county so as to make it a sort of license, men being fined several times?—No.

16783a. Are you yourself in favour of prohibition?—Yes.

16784a. What is the extent of the prohibition you favour?—I believe in prohibiting it for beverage purposes.

16785a. Over what extent of area? Do you wish for national prohibition?—I think if the country is ready for it, it would be better for the Dominion.

16786a. Failing that, you would like it for the province?—Yes.

16787a. Failing that?—Any area that limits it.

16788a. For instance, you have it now in a township; you would like to extend that to the county, the province and the Dominion?—If the province were diametrically opposed to it, I would not wish to force it upon it. You could not enforce any law with the mass of the people against it.

16789a. Do you believe the state of public sentiment has something to do with the enforcement of a prohibitory law?—Yes.

16790a. Were there any difficulties in the Scott Act other than those you have mentioned?—There were inherent difficulties in the Act itself. A man when prosecuted, would at the last moment present a lease of his bar to somebody else, and it would be necessary then to go and look for the bar-tender.

16791a. That is, instead of getting a second or third conviction against the man himself, it would be a first conviction against the bar-tender?—Yes, if you could find him.

16792a. Speaking as a medical man, do you think that injury to health is caused by the use of liquor?—Yes, very great.

16793a. Do you yourself use alcohol in your practice?—Sometimes, the same as I use laudanum, aconite and arsenic.

*By Rev. Dr. McLeod:*

16794a. Do you think that the extent of prohibition that you have under the Crooks Act is working well?—Yes, very satisfactorily.

16795a. Is there illicit sale there, do you think?—I do not know of any.

16796a. You have drug stores?—There are two drug stores.

16797a. What is the population?—About 800.

16798a. In some places we find that the drug stores are alleged to sell liquor for beverage purposes. How is it there?—There is only one that sells it, that is Dr. Hopkins, and I believe he observes the law. The other does not sell for medicinal purposes or otherwise.

16799a. Have you observed the condition of the community as to drinking and drunkenness as compared with the condition under the previous system?—I know that under the license system, which obtained from 1888 to 1893, I frequently saw drunken men, lots of them, and I have not seen a drunken man in Grand Valley since the first of May last, when this local option law came into force.

16800a. And I suppose you are out a good deal?—Yes, I am out in the village often at nights, and in the country. I have not met a drunken man since then.

16801a. Do you often have public gatherings there?—Yes, we had a larger crowd at our fall fair this year than ever—about two thousand. I went through the grounds and through the village, and I did not see a man the worse of liquor.

16802a. Do you remember how it was in previous years?—Yes. We used to have a good deal of drunkenness and fighting.

16803a. And you attribute the changed condition to the local option that you have under the Crooks Act?—Yes.



16804a. Have you observed what the effect has been on the other businesses of the town?—They claim that there is an increased business and an increase of cash payments to butchers and grocers. This year we have two butchers; last year there was only one. I was talking to the new one, and he said that his cash sales were better than those of the one who was there last year.

16805a. Do you think the same thing is the case with the other branches of trade that provide the comforts and necessities of life?—We have one more grocery than we had last year. I was talking to the new man after the fair day. He said he was doing a very good business. He said that local option had benefited his line of trade.

16806a. Sometimes it is claimed that unless there are facilities for providing liquid refreshments on holidays as well as on other days, a town will suffer loss, because there will not be as much money left in it?—This grocer was telling me about fruit. I am satisfied that there was a great deal more fruit bought in the village at the time of the fall fair than before, and a great deal of soda water was used. We have two soda water fountains.

16807a. So you do not think the town suffered in other trade in consequence of the local option?—No, I do not think it did.

16808a. As a practising physician, do you regard the use of intoxicants as an injury?—Among patients using it on their own account?

16809a. Yes?—Yes, I do.

16810a. Taking the regular, habitual use of drink—not the excessive use or the abuse—has a person with such a habit as good a chance of recovery in case of severe sickness or accident, as others?—You mean not in large quantities, but an average moderate drink. A man who takes it at every meal, three or four times a day, beer or brandy, I would consider would be injured by it.

*By Mr. Clarke :*

16811a. Do you consider a man who takes liquor at every meal to be an average moderate drinker, or what do you mean?—I suppose average consumption is that of a man who drinks three or four glasses of liquor a day—beer or wine or punch.

*By Rev. Dr. McLeod :*

16812a. What I had in mind was this : We are learning some of the terms they use. There is the early morning “pick-me-up” ; then there is the mid-day affair ; and then there is the “nightcap.” Take a man who indulges in these three things, and who has had that habit for many years, and let him meet with a severe accident or be brought down by severe illness, has he the same chance of recovery as a man whose system has not taken in all these intoxicants?—I think not.

16813a. Have you observed the hereditary effect on children? Have they a predisposition to nerve or brain diseases?—My experience is not large enough to enable me to say. I have noticed that the children of drunkards are very likely to be drunkards. Whether that is hereditary or the result of example I could not say.

16814a. How long a period has your practice covered?—Nearly twelve years.

16815a. Have you observed that the drink traffic and drink habit is a cause of domestic unhappiness and poverty?—A vast amount of it.

*By Judge McDonald :*

16816a. We are told that in France and Italy light wines are drunk regularly at the table from childhood up. Has your investigation led you to believe that moderate drinking in these cases is injurious?—Well, I have never been there.

16817a. Have you ever studied the question with regard to them?—I know that many of our best pathologists claim that the habitual use of wine in very injurious.

16818a. How do you account for it in those cases that it has been used for centuries?—I have no doubt of its use, but I am not satisfied that it is harmless. The human system has great power of throwing off the effects of harmful influences ; otherwise mankind would have been annihilated long ago.

ARCHIBALD C. GAVILLER.

16819a. In those countries the wine is put on the table as the common drink of the people?—From what I have read of it, I am satisfied that the evils of drink are greater there than here.

16820a. And from what you have read, are you satisfied that those people must have deteriorated?—I think they have.

16821a. Does your reading show you that the men who have been eminent in history as divines, statesmen, men of your own profession, soldiers, sailors, leaders of all kinds, have been given to the moderate use of wine at the dinner table? Does your reading show you that that has been the custom?—In many instances.

16822a. Have you found that there has been a deterioration of the race in consequence of that custom for centuries?—Not having lived at that early period, I cannot say.

16823a. Have you found that the race, instead of deteriorating, has been improving?—I think it has. There are so many questions entering into the history of the race, there has been so much done in the way of sanitary reform that has tended to lengthen life, that all these things have clouded up the question.

16824a. Looking at the history of England as well as the history of those other countries, can you say that the moderate use of wine or ale at table has caused a deterioration of the race?—I believe the race would have been better without it.

16825a. Do you as a medical man say that the moderate use of fermented liquors at table is not compatible with health?—When you come down to the use of a very small quantity, and the effect is very trivial, it becomes a very knotty and difficult question.

16826a. Take the case of a man who takes a glass of beer or wine every day at dinner, would you say that that practice was not compatible with the best health?—There is a difference between the two conditions. You say a glass of wine or a glass of beer.

16827a. I will say a glass of beer. Do you mean to say that the use of one glass of beer at dinner every day is incompatible with good health?—It is compatible with fair health, but not as good as it would be without it.

16828a. Do you know of men who have used a glass of ale at dinner every day for years and years, and who have perfectly good health, who are never sick a day?—The first one that occurs to me is a cousin of mine, who follows the habitual use at meals, and he is not anything like as healthy as my brother or myself. I do not know of any man who follows up that moderate line you speak of.

16829a. Therefore you are not in a position to speak of those people?—I do not know as I would.

16830a. Would you be surprised to learn that there are in this country thousands of men who take one glass, and one glass only, a day at dinner, either a glass of ale or a glass of wine, and never go beyond that?—I am rather doubtful of it. My experience leads me to be doubtful of it.

16831a. In case of the enactment of a prohibitory law, would you permit farmers to make cider of their own apples for their own use?—Yes.

16832a. And wine of their own grapes?—I would say regarding that—as I said regarding the prohibitory law—if the mass of the people were in favour of it, I would.

16833a. How are you going to ascertain whether the mass of the people are in favour of it?—In the County of Essex a great many farmers make wine for their own use. Would the law you speak of prevent that?—No, I do not think it would. It is the manufacture and sale for beverage purposes that it would aim at.

16834a. In other words, you mean the traffic?—Yes.

16835a. How far are you in Grand Valley from where the license law is in force?—Between three and four miles.

16836a. Is Grand Valley an incorporated village?—No, part of the township of East Luther.

16837a. Where are those licensed places?—One in the village of Waldemar in the next township, three or four miles off.

16838a. Is there any incorporated village in East Luther?—No.

16839a. Is there anything to prevent people bringing liquor from licensed districts into their houses?—No.

16840a. Then the law there does not give you the kind of prohibition you want?—No. Yet I believe there is not one per cent of the liquor consumed in East Luther that there was a year ago.

*By Rev. Dr. McLeod :*

16841a. Do you know that there has been an increase of drunkenness in France?—Yes. I know it has given the French Government very serious concern ; and in Belgium also.

16842a. Have you noticed that in Belgium, a beer drinking country, drunkenness has become so great that?—I notice by the newspapers that there is a very serious increase of it, and that it is giving serious trouble. I notice a statement made by Mr. Gladstone about a month ago that he attributed the great distress in the manufacturing towns to the beer drinking.

16843a. Reference was made to soldiers. Have you, in your reading, observed that there has been a great deal to promote total abstinence among British soldiers in these later years?—Yes ; I believe there is a good deal done.

16844a. I notice in the despatches from Ottawa this morning that an order has been issued from the Militia Department Headquarters that henceforth there will be no sale of liquor in camps where the militia assemble from year to year, and it is attributed to the disorders that have arisen in the camps from the sale of liquor. Do you infer from that that the militia authorities are recognizing the harm done by the drink habit and the drink traffic?—I believe that is their reason for wishing to stop it.

*By Mr. Clarke :*

16845a. There is a permanent corps, however, in the Dominion. These camps are assemblies of the militia every one or two years. In the permanent corps they have canteens, have they not?—I am not aware whether they have.

16846a. They have. Is there any movement to close up these canteens?—I do not know that there is.

16847a. It would be more probable that in those gatherings where large numbers of men are brought together for the first time, there would be liquor drunk to excess?—I suppose it would.

16848a. If the Militia Department thought the canteen was a menace to the soldiers, should they not take steps to abolish it?—I should think they would.

16849a. Then, they must think it necessary, or a necessary evil?—They may have thought it was an evil, but could not stop it.

16850a. You speak of having read of evils growing from the use of wine, and an increase of drunkenness in France ; in what part of France?—It just referred to France as a whole. I could not say whether it was the north or the south.

16851a. To what is the increased consumption of alcohol attributable in France?—I do not know as I saw any reason given for the increase.

16852a. What have you read of the condition of things in Germany?—I know that there is a vast quantity of beer consumed *per capita*, and I know from my reading that there is attributed to it a vast amount of injury.

16853a. Could you direct us to any authorities that show that the French or the German people are deteriorating because of the national use of beer in Germany and of wine in France?—If you will study a course of human pathology you will be convinced of it.

*By Judge McDonald :*

16854a. Are those races deteriorating as the result of the universal use of beer and wine?—I believe they do ; but, as I said before, there is a recuperative power in human nature that tends to recover in one generation from the evil done in a previous one, and the sanitary reforms that have been effected have lengthened human life.

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16855a. If generation after generation continues to use wine and beer there is no opportunity given for a succeeding generation to recuperate or recover itself, as it were, from the injurious effects brought upon it by the drinking of the preceding generation. Is there any authority for the statement that these races, owing to their continued use of wine and beer, are deteriorating, physically, morally and intellectually?—The principle evidence of it that I see is this: take those city populations that drink the most, and they do not compare with the country populations in any way, as regards physical stamina.

16856a. Is there a deterioration of the urban population as compared with the rural population?—We have not any statistics to show.

16857a. Would not ordinary observation show?—Has not the German race been higher, physically, intellectually and morally, during the last twenty years than ever before?—I do not know that it has. I have had no personal observation.

16858a. Have you had personal observation of the German people in the County of Waterloo?—I have not been in the county.

16859a. And you are not able to say how they compare with their neighbours?—No.

16860a. Would you be surprised to hear that they compare favourably with any other community?—I do not know anything about them at all.

16861a. Is there any statement you would like to make yourself?—Yes. The question was asked me, whether the enforcement of the prohibitory law under the Crooks Act improved matters in East Luther. I do not want the impression to go out in the report of my evidence that we are, in the common acceptance of the term, under the Crooks Act. We are under a strict by-law. There is no license issued in our township.

*By Mr. Clarke :*

16862a. How was the vote of the village of Grand Valley on the local option by-law?—The majority in its favour was about 25 in the village and 125 in the whole municipality. I was speaking recently to our largest business man in the village, who is also the wealthiest man in the township. He was a strong opponent of local option when it was carried. I asked him, "What is your business in the store this year as compared with last year?" He said, "I was opposed to the thing when it was carried, but I am well pleased with it now. My trade is about the same as last year."

16863a. He thought it would be an injury to his trade?—He did when it was carried. I think that in East Luther and Grand Valley the prohibitory law is a success; I have not heard a man say that it is a failure.

16864a. So far as that district is concerned, there would be no need of any other law?—We are satisfied with matters as we have them. The only thing is that a general law would cut off the traffic from the villages around that give us any little annoyance that we do have from it.

*By Rev. Dr. McLeod :*

16865a. Have you any means of knowing whether the people in favour of that local prohibition would be as strongly or more strongly in favour of general prohibition?—I think they would be very much more strongly in favour of general prohibition.

*By Mr. Clarke :*

16866a. They are perfectly satisfied with the present law?—They would prefer general prohibition because it would remove the places in the neighbourhood where people go occasionally and get liquor in bottles.

*By Judge McDonald :*

16867a. Have you any hotels in Grand Valley?—We have two hotels.

16868a. Are they doing a very good business?—Yes. Until last May we had three houses, two with licenses and the third running without license, accommodating the public and selling cigars and soft drinks. The proprietor of this hotel was never

known to sell illicitly : but he was opposed to the prohibitory law and always tried to get a license. I asked him if he was making a living. He said he was making a living, but not making any money. His plant would be worth perhaps two thousand dollars. He is still keeping the hotel, and doing better than before. There is also one of the old licensed houses still running, and doing a fair business. The oldest hotel there is closed up.

16869a. What class of custom do these places get ?—Good. They get the travelling public—commercial travellers, farmers, and so on.

16870a. And there is no increase in their prices ?—No. Twenty-five cents for meals, twenty-five cents for beds, sheds free.

16871a. And they are doing a good business ?—Yes. The man who used to be licensed I am sure is not making as much money, but he is making a comfortable living.

16872a. And you think he observes the law ?—I believe he observes the law.

16873a. Under the present law citizens have a right to bring in liquor for their own use ?—Yes.

16874a. Would you deprive them of that right ?—As I said, I am not in favour, at the present stage, of interfering with private manufacture by any one for his own use, and I would look on the man bringing a bottle into his own house in the same way. I do not take any stock in that. I have not considered that question.

16875a. You have taken an active interest in the temperance cause ?—Yes.

16876a. And you give it as your statement that you are not in favour of any prohibitory law that would deprive people of the right to bring in liquor for their own use ?—I have not thought of that question until the present moment, so that I do not want to answer it rashly. I know that the average conception of a prohibitory law is to prohibit the traffic in Canada. To prohibit a man from going across the boundary to get a bottle of liquor and bringing it to his own home is a question hardly to be considered. I hardly know whether that could be worked. If the importation is prohibited, I suppose he could not bring it in.

16877a. The importation for sale ; but are you in favour of prohibiting the importation for domestic use ?—On considering the question further, I think it would be better to prohibit the importation altogether, because when a man brought liquor across the line, he might say that it was for his own use, when it would be very difficult to say what it was for.

*By Mr. Clarke :*

16878a. Would you favour an amendment to the local option law to prevent people bringing in liquor for their own use ?—I would not be in favour of what is impracticable. I do not think you could prevent a man going across the border of the township and bringing in a bottle.

16879a. Do you think it would be practicable for the larger area ?—I think it would be just as practicable as the present excise law or customs law. No liquor is allowed to come in without the Government getting their duty on it. They see every keg and bottle of it.

16880a. Do you consider that it would be practicable to enforce a prohibitory law in Canada with the sale permitted on the other side of the line ?—I do think so. I think very little gets in without paying duty, and it would be just as easy to keep it out altogether.

*By Judge McDonald :*

16881a. Is there any object at present in bringing it in ? Is not there a great deal made in Canada ?—I know there is ; but it does not come across the boundary without paying duty.

16882a. Do you know, as a medical man, that at the present time there is an immense quantity of opium carried across from this country to the United States, in spite of the best efforts of the United States officials ?—I know there is some ; I do not know how much. But the prohibition of it is just as practicable as levying a duty upon it.

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16883a. Do you know any country in the world where such a law as you favour is in force?—I know it is in force in several States of the Union.

16884a. Name one of those States?—Kansas.

16885a. In Kansas any amount of liquor can be brought in for private use?—I do not think they can prevent that. That particular ramification of the law I have not given any thought to.

*By Mr. Clarke :*

16886a. Is not that the most important point to be decided—whether the individual shall have a right to bring it in for his own use or not?—I think it is only a minor matter.

*By Judge McDonald :*

16887a. What you are speaking of is the traffic?—Yes ; that is nine-tenths of the evil, if not ninety-nine hundredths. I have no experience of bringing it in for private use, for I live a long way from the border.

ELI H. HILBORN, on being sworn, deposed as follows :

*By Judge McDonald :*

16888a. Where do you reside?—In Toronto.

16889a. I understand that you are the president of a salt manufacturing company?—Yes ; the Ontario Salt Manufacturing Company.

16890a. Where is the business carried on?—At Kincardine in the County of Bruce.

16891a. How long have you lived in Toronto?—Four years.

16892a. Where did you live before that?—At Uxbridge, in the County of Ontario.

16893a. Did you reside there at the time the Scott Act was in force?—Yes.

16894a. Were you a supporter of it yourself?—Yes.

16895a. Please tell us what your experience of it was?—It did not give the satisfaction we would have liked it to give or as we expected.

16896a. What were the difficulties?—The meagre manner in which the law was enforced.

16897a. By the officials?—Partly by the officials, on account of a very determined and factious opposition on the part of the people engaged in the traffic, and their friends.

16898a. Were there any new people?—There may have been a few. I do not think there were many. But they got assistance from outside, very largely from Toronto, we learned, in a quiet way.

16899a. Had there been many licensed places at Uxbridge before the law came into force?—There were four at the time the law came into force.

*By Mr. Clarke :*

16900a. How many places were selling in Uxbridge?—They were selling illicitly everywhere in the county, more or less. In Uxbridge there were four selling before the Act was in force.

16901a. How many of them were selling while the Act was in force?—All four of them, I believe, illicitly, more or less.

16902a. Any others besides?—I do not know of any others who were selling, except one who had a shop license.

16903a. Had you experience anywhere else?—In Cannington they were at swords' point all the time. The opposition there was still more determined to defy the law than in Uxbridge. There seemed to be a combination of forces to defy the Act.

16904a. Do you think that, in that district also, the officials were lukewarm?—There is no doubt about it.

16905a. Was any representation made to the Government?—Yes.

16906a. Was an attempt made to get a change?—There was an attempt made to have the officers removed, but nothing came of it. Every kind of effort was put forth by the opposition to burk any inquiry, and whilst the promoters of the Act were strongly in hope that they would succeed in getting a change in the officials, they failed in the end.

*By Rev. Dr. McLeod :*

16907a. Did the liquor men espouse the cause of the officials who were charged with dereliction of duty?—Yes; they stood up very strongly for them and endeavoured to clear them of the charges preferred against them—brought witnesses there with evidence that the people thought somewhat questionable.

*By Judge McDonald :*

16908a. Were you at any of the Scott Act trials?—Yes, a number of them.

16909a. You have spoken of evidence. What was the evidence like that was given at those trials?—The same as at any other trial for illicit sale. For a time it was conducted by the Inspector alone: but the people pressed so strongly that they finally made some effort to secure a counsel to attend these trials. At the early part of the enforcement of the Act, the trials were conducted before an ordinary magistrate, whose decisions were of course subject to appeal, and the appeals were universally made.

16910a. With what result?—Generally the quashing of the conviction upon some trivial irregularity in the conduct of the proceedings. We finally succeeded in getting a Police Magistrate appointed, and then the law was a great deal better enforced. There seemed to be a determination to put the law at defiance. For instance, to give you an illustration, one man in Cannington was fined seven times in succession, and yet, with the assistance of his friends, he somehow evaded paying the fines. He would pay a little, perhaps ten dollars.

16911a. Was he ever sent to jail?—He was on one occasion, but I think the magistrate was faint-hearted, and used to let him off on suspended sentence. At last, the people became wearied, and thought that while the Act was good, there was not proper machinery to enforce it, and hundreds of strong temperance men went and voted for the repeal rather than worry with it any longer.

16912a. Have you lived in Kincardine?—Yes.

16913a. What was the state of things there?—A good deal the same as in Ontario county.

16914a. Do you employ many men in your works?—Twenty or twenty-five.

16915a. Are you troubled in your business with intemperate men?—We have been a little, but we do not employ them. We steer clear of them. They give us more trouble than they are worth.

16916a. Is yours skilled labour?—We have a skilled foreman and one or two skilled men, and then any common labourer does for the rest of the work.

16917a. What is your experience of the working of the license law in Toronto? Do you find it satisfactorily carried out, and with satisfactory results?—I do not think the violations are so frequent here as I have observed them in the country.

*By Mr. Clarke :*

16918a. How does Toronto compare with Cannington and Uxbridge and Kincardine in regard to the enforcement of the license law?—Very much better.

16919a. Are you opposed to the licensing of the traffic?—I am.

16920a. You think it is wrong to license it?—I do. I think it is wrong to license any evil.

16921a. In case you could not have prohibition, would you rather have a license law than free sale of liquor?—Most decidedly.

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16922a. If you could not get prohibition, you would prefer having a law with all the regulations of the license Act, but without any income to the community as a whole from the traffic?—My observation has been that the higher the license you put on, the greater respectability you throw about it, the greater the sale and patronage.

*By Rev. Dr. McLeod :*

16923a. And the more difficult it is to deal with?—And the more difficult it is to deal with.

*By Judge McDonald :*

16924a. And the larger the revenue derived from it, the more difficult it is to deal with it?—Yes.

*By Mr. Clarke :*

16925a. Is it better to have the trade made disreputable than to put it in the hands of respectable people?—I think it is better to do away with it.

16926a. But as between the two, do you think it is better to make it disreputable?—I have noticed that young men have a desire to appear respectable; and therefore, if we have to have the evil, I would prefer to make it as disreputable as possible, in order to keep as many of the rising generation out of it as possible. That is my idea, I may be wrong.

*By Judge McDonald :*

16927a. In case of the enactment of a prohibitory law, preventing the manufacture, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—Not if they had a reasonable time to get out of the business. I would not favour passing the law to-day and putting it in force the next month. I would want to give them a reasonable chance to get rid of the stock they have on hand; and then I do not think they are entitled to any compensation.

*By Rev. Dr. McLeod :*

16928a. Have you observed whether there is any illicit sale in Toronto?—I think there is a little. We do hear occasionally of cases of illicit sale, but I do not believe they are unusually frequent in Toronto.

16929a. Have you had an opportunity of observing the operation of the Scott Act in other counties than those you have spoken of?—I was travelling a good deal in connection with our company. I was considerably in Wellington County, and in Halton County.

16930a. Did you observe, in any of the counties that you were in, whether the law was reasonably well enforced?—It was not enforced to my satisfaction in any of them. I think that in Halton County it was perhaps as well enforced as in any of the counties; but the hotel-keepers there, as well as in Ontario County, nailed up their sheds. I went into hotels where I could not get a chair to sit on, and I could not get decent accommodation in any form. This had a tendency to render the working of the Act disreputable, and to make the people disheartened, and went a great way to cause the repeal.

16931a. Was that the way the licensees took to punish the people for passing the Act?—Yes.

16932a. There was a good deal of terrorism then?—There was a good deal of anarchy.

16933a. You spoke of assistance being given to those people from Toronto. Do you know the form of that assistance?—I said we were cognizant of the fact that they were getting assistance from somewhere, and we presumed that it was largely from Toronto. We have no direct evidence of that. We thought it was in the shape of monetary assistance to help to pay fines. We had what we thought was reasonable evidence of some cases, and we suspected that there were more.



16934a. Do you know if assistance was given from Toronto in the repeal campaigns?—We were pretty certain there was from outside, somewhere.

16935a. So that the people in favour of the Scott Act in those counties had to contend, not only against those opposed to it in the counties, but against the liquor interest elsewhere?—That is the way it appeared to us.

16936a. In Kincardine, where your salt factory is situated, is there licensed sale now?—Yes, some five hotels.

16937a. It is a considerable place?—It is an incorporated town.

16938a. Do you know if there is illicit sale there?—I was there last week, and the authorities had on the string several of the licensees who had been selling on Sundays.

16939a. So that the licensees there apparently do not observe the prohibitions of the license law?—They openly defy the law. One of the licensed men said last week, "I consider that we pay a license, and we are not going to be dictated to as to when we shall sell."

16940a. Are there other salt industries there?—There is one other. There is also a large furniture establishment, besides several other factories of considerable size.

16941a. Have you observed the effect of this illicit sale of drink there on the employees generally?—It has an effect upon them. The labouring classes there are very largely Highland Scotch, who are fond of whisky, and a great many of the factories have been compelled to do as we have done—dispense with the services of those who are habitual users of strong drink.

16942a. And you insist on that rule?—We have to, because when our work starts on Monday morning at twelve o'clock, it must run till Saturday night at twelve o'clock, or our loss is very heavy if the fires go down; so that we cannot afford to have a gang of men that we cannot depend on.

16943a. And you give the preference to total abstainers?—We try to get those who are not found drunk, at all events.

*By Judge McDonald :*

16944a. Have you any rule that the men must be total abstainers?—No.

16945a. But you prefer a man who is a total abstainer?—Yes. We do not ask a man to take the pledge, but we inquire into his record, and if we find that he has been a drinking man, we have nothing to do with him.

*By Rev. Dr. McLeod :*

16946a. Shall we assume that the prohibition you favour is the national prohibition of the manufacture, importation and sale of intoxicants for beverage purposes? My view of that is something like the doctor's; I would prefer national prohibition if we could get it; if we cannot, I would be satisfied with prohibition in Ontario; failing that, I question whether county prohibition is a success. I have observed it where bordering counties were not under it, and there it was detrimental to the towns that were under prohibition, because those wanting liquor would go to other towns where liquor was to be got.

16947a. Where the area is small you think the effect is likely to be?—Generally unsatisfactory.

16948a. As a business man, have you given attention to the question of the effect of prohibition on the financial interests of the country?—I have thought considerably about it. I have no doubt that it would work its own cure very soon. What we would lose in one way we would more than gain in another. I think our revenue would not suffer after a few years of prohibition; I am inclined to think that the increased consumption of other goods would in a short time more than make up the deficiency that the revenue would suffer. Those who now spend their money on liquor, or are unable, because of their habits, to purchase what their families require, being then unable to get liquor, would spend their earnings for the family necessities of life; they would consume more of the tax-bearing products.

16949a. Perhaps there is some statement you yourself would like to make bearing on this subject? One thing occurred to me while you were questioning the last witness

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about Germany. I observed quite recently the statement that since the passage of the German Army Bill, recruiting officers were sent out to increase the size of the army, and when the reports came in it was found that only about one in ten of the recruits passed muster. An inquiry has been commenced to ascertain the cause of this, the Emperor himself starting it. I have read several articles in the public press on the matter, and they all attribute it to the excessive use of beer and tobacco, possibly the two together.

16950a. That would seem to show that the race is deteriorating?—It would seem so. That is just my reading.

*By Mr. Clarke :*

16951a. Was any report made by any medical man that it was due to the excessive use of beer and tobacco?—That was the supposition of the writer of those articles.

16952a. Only a supposition?—Only a supposition. An inquiry has been instituted into it. When we get the result of that inquiry, we shall know.

*By Judge McDonald :*

16953a. Have you been in the County of Waterloo?—A little; not very much.

16954a. Have you noticed the German people there?—Yes.

16955a. How do you find them?—I fancy there is very little difference between them and the Anglo Saxons. I think there is more beer used there.

16956a. I mean as to their physique?—I think there are more red-faced people among them. I do not think that is a healthy sign, though they may be fleshy. I am not a medical man, and cannot speak medically on the subject.

16957a. I suppose that if you could not obtain a prohibitory law, if liquors were to be used, you would have a choice between distilled liquor and fermented: which would you prefer?—I would prefer the fermented.

16958a. Have you been in Essex?—Yes.

16959a. Have you noticed that many of the farmers there make wine out of their own grapes?—Yes.

16960a. What is the result?—I do not think they have been doing it long enough to enable us to know what is the result. In the last few years grape growing has become a very great industry, and the effect is scarcely observable as yet.

16961a. Did you notice in the Scott Act counties whether the farmers kept on making cider?—Yes.

16962a. Was that privilege abused?—I never observed anything of the kind.

16963a. The fact of the Scott Act being in force did not lead to more cider being made?—No, I did not notice anything of the kind, because I think the cider beverage is pretty well gone out. It is now mostly used for vinegar. There is not one barrel of cider made now where there were ten made twenty years ago. The use of cider has pretty well gone out in this country.

*By Mr. Clarke :*

16964a. To what do you attribute that?—I scarcely know. It will never pay to make cider out of anything but refuse apples, and we have less refuse apples than we had.

*By Judge McDonald :*

16965a. Have you not noticed a great growth of temperance sentiment and temperance habit in this province?—Yes, there is no question about that.

16966a. Have you noticed, in the sections of country that you have gone through, that the people use up a great many of the refuse apples by the evaporating methods?—Yes. That may account to some extent for the falling off in the manufacture of cider.

JAMES THOMSON, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

16967a. Where do you reside?—In Toronto.

16968a. How long have you resided here?—Some thirty-eight or thirty-nine years.

16969a. What is your occupation or calling?—Painting and paper hanging.

16970a. Perhaps you would just make a statement yourself in reference to the question we are investigating?—Well, I have been for some thirty-four or thirty-five years a total abstainer. For over thirty years I was in business on my own account in my own line, and from my knowledge of the men who used to work for me, I can say that the temperance men were by far the most reliable. As has been said by others, the growth of the temperance sentiment in that time has been very great; that is, there are more sober, temperate workmen now than there were at that time. Before I went into business, when I was an employee myself, both in the old country and here, drinking was universal among workmen. In fact, it was almost impossible for a man to be an abstainer; he would be ostracised by his fellow-workmen. But that is all changed now.

16971a. What part of the old country did you come from?—Scotland.

16972a. What was the principal drink there among working men?—Whisky.

16973a. Have you found a change in that respect—as to what men do drink?—Yes. I think the principal drink now is beer, instead of whisky.

16974a. Have you watched the operation of the license law in Toronto?—Yes. A number of years ago there used to be licenses granted on the Island, and for some six or seven years, perhaps more, those licenses have been refused on principle. That is, the island is considered to be prohibition ground, and I think it is universally conceded that as a consequence the island is a very much safer and more pleasant place for women and children, in fact for every one, than it was before. There is very little disorder there. There has been some, because liquor has been sold illicitly, but not for some time.

*By Rev. Dr. McLeod :*

16975a. Why was it thought desirable to make the Island a prohibitive territory?—In order to make it more attractive for women and children.

16976a. It is a resort?—Yes, a summer resort.

16977a. When licenses were granted, did the sale of liquor have the effect of making it an undesirable place for women and children to visit?—Yes.

16978a. And that state of things brought about the refusal of licenses?—Yes. As a matter of fact, the License Commissioners refused to grant licenses, and the fight is over. They are not troubled now for licenses.

16979a. So that prohibition on the Island has been a good thing?—Very much so. It has made the Island a very attractive resort, and a great many more people go there. I might say that if the mere reducing of the number of licensed houses had the effect that we had hoped, it would have it in the city. I do not know that it has reduced the quantity of liquor consumed to any very great extent. I do not know that the increasing of the cost of licenses from the small sum which they cost when I first came here, only forty dollars, till they now cost \$350, has made the liquor traffic easier to conquer. There is more capital invested in the traffic, and those who are in it are stronger financially than they were at that time. About the beginning of last year I had a little curiosity to see what the effect of reducing the number of licensed houses was on the arrests for drunkenness and disorderly conduct and kindred crimes; and I took the trouble to prepare a table from the official statistics covering the thirty years from 1862 to 1891 inclusive. I have a copy of the table, which I will file with you.

*By Judge McDonald :*

16980a. I see that you make the statement: "For some years back both the Chief License Inspector and Inspector Archibald claim that the unlicensed places have been  
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stamped out." What is your own idea of that?—I think they have been pretty largely stamped out.

16981a. Are you yourself favourable to the total prohibition of the traffic?—I am.

16982a. Do you think the reduction in the number of licenses reduces the temptation to men to drink?—No; I think not—not in Toronto.

16983a. Suppose a man has to go a mile from his house to his work, would not the temptation to him be greater if he had to pass ten licensed places on the road than if he had only to pass one?—Possibly. They are reduced in Toronto to about one to a thousand.

16984a. To put another case, suppose you were sending a man out to Woodbridge or any other country town—a man addicted to drink—if he had to pass only one licensed place on the way, would it not be easier for him to overcome the temptation than it would be if he had to pass a dozen?—Judging from my own experience, especially in the old country, where we had to go perhaps eight or ten miles to work, if there was only one house on the way, we made that the stopping place; and there would be no more drinking if there were a dozen.

16985a. But in the case of a man who is tempted to drink and does not want to do it, would the temptation be less if he had to pass one than if he had to pass a dozen?—No doubt it would. On the other hand, there is a greater temptation from the greater respectability of the place. Last year I was in Hamilton for a short time, and while there I saw the opening of what they call the ten thousand dollar saloon. Its principal customers are young men who would not go into a place with low surroundings. That place is more attractive, and consequently more dangerous to them than a bar-room with a sanded floor, such as we had in Scotland.

16986a. In case you did not get prohibition, and the license law continued, would you favour having an unlimited number of licenses?—I do not know that I would.

16987a. Then which would you favour, a limited or an unlimited number, or do you think it makes no difference?—I am opposed to license on principle.

16988a. I understand that; but in case you did not get a prohibitory law?—I do not think there is that benefit derived from reducing the number of licenses that is so generally supposed.

*By Mr. Clarke :*

16989a. Why?—We have established a monopoly in Toronto. A man may get five or six thousand dollars for a license that only cost him \$350. At the time I came here it was easy to get a license, and there were no attractive places.

16990a. Then it has been an evil to make a monopoly of the trade?—Yes; financially, at any rate.

16991a. Taking the last two columns of this statement of yours, giving the proportion of liquor arrests to population, and the proportion of total arrests for all crime to population, do they make a favourable showing?—They do. In the last year there was only one arrest to every nineteen, whereas at first there was one to every fourteen. That is due to the growth of public sentiment, and to church influence and temperance society influence.

16992a. You have included both tavern and shop licenses?—Yes.

16993a. You say here: "From 1862 to 1876 each licensed place sent to prison on an average yearly 9 17-20 persons. From 1876 to 1887 each licensed place sent annually to prison an average of 15 12-20 persons." What do you mean by that?—Those arrested for being drunk and disorderly.

16994a. I think you have charged the licensed places with the committals for assault, felonious wounding, and neglect of family?—These are all naturally connected together. The purpose I had in view was to find the effect on the arrests for drunkenness and disorderly conduct and kindred crimes of the reduction of the number of taverns, and the figures showed that it had not the effect that I had hoped it would have. The amount of liquor consumed did not seem to be lessened.

*By Judge McDonald :*

16995a. In case of the enactment of a prohibitory law preventing the manufacture in Canada, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I think not, for this reason, that the agitation has been so long before the public that they have had sufficient warning to make them careful not to sink much capital in the business.

16996a. I think we have had evidence of one firm that was established in 1832. Was there much agitation at that time?—Not so much then as there is now.

*By Rev. Dr. McLeod :*

16997a. I suppose that since 1832 there have been several branches of business that have gone out because of changed conditions?—Oh, yes. I can remember, when I was a boy, that half-a-dozen single horse carts would carry all the commerce there was between Perth and Glasgow. I do not know how many trains there are now.

16998a. Did the owners of the carts get compensation when the railway came in?—No.

*By Mr. Clarke :*

16999a. There was no law passed prohibiting the carrying in drays or carts?—No, but society has a right to protect itself. Society says that unsound meat must not be offered for sale.

*By Judge McDonald :*

17000a. Do you know anybody who would want to buy unsound meat?—I have no doubt there are people who would buy it if it were sold low enough in price.

*By Mr. Clarke :*

17001a. The Government has established regulations requiring these people to procure a very large and expensive plant, and then to keep their product for two years before it is sold; they claim that these regulations have placed that trade in an exceptional position, and that they should be compensated for the plant and machinery that they have been required to put in. Is that a reasonable position?—I think a prohibitory law prohibiting the sale of liquor for beverage purposes would still leave a large quantity to be required for scientific and medical purposes. If the Government established agencies for the sale of liquor for these purposes, instead of allowing private parties to sell it for all kinds of purposes, the Government might purchase all the stock on hand, and use it in that way.

17002a. So that the vendor would not have any interest in the sale?—Yes, something like what they have in South Carolina.

17003a. Your prohibition would prohibit the importation by individuals for their own use?—Yes.

ALBERT CHAMBERLAIN, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

17004a. Where do you reside?—In Toronto.

17005a. What is your occupation or calling?—I have been in the real estate business during the last two years.

17006a. Are you favourable to prohibition?—Yes.

17007a. Have you lived in any community where prohibition was in force?—No.

17008a. Living in Toronto, you have seen the operation of the license law?—Yes.

17009a. What is your opinion as to the effect of the reduction of the number of licenses?—I believe that if we cannot get prohibition, the reduction in the number of

JAMES THOMSON.

licenses is an advantage. I would like to give my reasons for that. Previous to the last two years, during Mr. Clarke's term as Mayor, I was Inspector for the Board of Works. I was in charge of some of the largest, if not the largest, works then going on in the city; and I noticed particularly that if there was a hotel or a saloon close to where the men were working the temptation was there for them to use liquor, and they used it; but if that place had not been there, the men would not have gone or sent for drink.

17010a. Do you believe that the fewer liquor places there are on the way from a man's house to his work the less temptation there is?—Yes.

17011a. Are you opposed to licensing on principle?—Yes.

17012a. Where you could not get prohibition I suppose you would rather have license, on account of the regulation, than free sale?—Oh, yes.

17013a. Have you thought whether you would prefer a regulation as to the hours of sale and so forth, without an income from the traffic being derived by the municipality?—I have not thought much of that question.

17014a. Some people are opposed on principle to deriving an income for public purposes from the traffic?—My opinion is that as long as you license these places it is just as well for the Government to receive a revenue from them. Of course, I do not believe that the traffic ought to be licensed.

17015a. You have been present a great deal during this investigation, and you know the line that it takes. Perhaps you would just make a statement to us?—As I said before, I have had no experience of any place where a prohibition law has been in force; but I have travelled quite a bit in England and in Canada, and I believe that the present license system in Toronto is much better than the system they have in the old country, for instance. We have a better regulation of the traffic here in Toronto.

17016a. To what do you attribute the better regulation? To the police force?—I think the police in Toronto do their duty, generally speaking. I notice this: I was in Toronto between fourteen and fifteen years ago, and I believe you could buy liquor then at the licensed places differently from what you can to-day; in fact, I know you could.

*By Rev. Dr. McLeod :*

17017a. They observe the prohibitions of the law better now?—Yes.

17018a. To what do you attribute that change?—I think the licensees are afraid of losing their licenses.

17019a. They regard their license as a valuable asset and do not care to risk its loss?—Yes; do not care to violate the law. I have had considerable experience with workingmen, and I believe workingmen would have better homes and their families would be better looked after if the drink traffic were removed from the country. During Mr. Clarke's term as Mayor, I was Inspector on the Rosedale Creek sewer on which a large number of men were at work; and among them were men who scarcely ever went home sober. I know the homes of some of them were miserable homes, the children suffering and wanting for clothing and food.

17020a. The men earned good wages, did they?—Yes, and might have had good homes and been respected but for the use of intoxicating liquors. I am a bricklayer by trade, although I have not worked much at it for the last fifteen or sixteen years. I worked about three months at bricklaying in this city; and I remember well only six years ago working beside a man on the sewers in this city who used intoxicating liquors, and who went away from his work and went into one of the saloons in this city and took a revolver from his pocket and shot himself dead. I believe that man would in all probability have been alive to-day if it had not been for the drink traffic.

17021a. This has been put forward, that if provision were made for improving the homes of the working people, they would be less liable to drink. Have you observed that the drink habit among workingmen is the cause of the want of comfortable homes?—They would have the home comforts all right, there is no doubt about that, if it was not for the drink traffic. I was working on Sherbourne street with a gang of men a year ago and I asked one man, "Why don't you spend the money on your home that you spend on drink?" I did not know that he noticed it at the time, but some time

afterwards he invited me to his home, and the change was wonderful. That is my experience everywhere, that the working classes suffer where they use intoxicating liquors.

17022a. Have you observed whether there is much illicit sale by those not licensed in Toronto?—I believe there is considerable illicit sale. I was on a street in Toronto two years ago looking after city work, remaining at one place for perhaps a week at a time; and at a private house there I used to see brewers' wagons stopping twice a day, and people going in and out. I did not think that was all for private consumption.

17023a. Do you think there is a good deal of that going on?—Of course, I do not know how much there is of it.

17024a. Do you believe there is more than the police records show?—Oh, yes, I think there is. Men have said to me "You need not talk to me about prohibition: I can get all the drink I want."

17025a. Do you think there is much illicit trade among the licensees?—I do not.

17026a. You think that is because of their fear of losing their licenses?—Yes. I believe that these places where drink is sold ought to be closed to save the young men. I will give you one instance. A young man came to my home perhaps two years ago. He was the son of an alderman and had every chance to get along. I received twenty-five dollars from his mother to spend on clothes for him or anything else that he needed. One Saturday night I went to search for this young man. I found that he had been drinking, had got into bad company, and had been sent to the Central Prison for fifteen months. I got an introduction to the warden, Mr. Massie, and was allowed to see him; and that young man, standing behind the bars, said to me, "I would never have been here if it had not been for whisky."

17027a. It is said that is sometimes stated by criminals to excuse themselves for their crimes; but you know that to have been the fact in this instance?—There is no doubt of it. I could give other cases. To use that young man's own words, "This Canadian whisky is a terrible thing."

17028a. I suppose you have not any knowledge to enable you to say whether it is worse than any other whisky or not?—No, I am a strict temperance man, and do not know anything about intoxicating drinks. One reason why I want a prohibitory law is this. I have boys in my home, and when I see other men's boys go astray I feel that I want something that will protect my boys, and that is the reason I want prohibition.

17029a. This theory has been put before us, that the way to develop strength of character in boys is, while giving them proper instruction at home, to have them confronted with these temptations, and that in the resistance of them they will develop strength?—I do not believe that.

17030a. You seem to think, then, that it is one of the functions of Government to abolish temptations to drink and the things that are consequent upon drink?—I believe that is the duty of Government, to remove these places, for the sake of the young men.

*By Judge McDonald:*

17031a. Do you believe the law should be such as to prevent people bringing in liquor for their own homes?—Oh, yes, I would object to that. If we are to have a prohibitory law, let us have a prohibitory law.

17032a. Would you let people make wine for themselves?—The trouble is, if you let people make wine for themselves, it will get into other homes.

17033a. Your prohibition would be one that would be universal?—That is the difficulty there would be in allowing liquor to be made in homes.

17034a. Do you know any country where such a law is in force?—No; but I do not know any reason why such a law could not be enforced. The old theory used to be that people could not get along without the use of intoxicating liquors; but I am going on thirty-seven, and I have not tasted intoxicating liquors.

17035a. Is there any further statement you wish to make?—No.

ALBERT CHAMBERLAIN.

WILLIAM H. DICKSON, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

17036a. Where do you reside ?—In Toronto.

17037a. You are a newspaper man ?—Yes, a newspaper reporter.

17038a. You are a stenographer also ?—Yes.

17039a. How long have you lived in Toronto ?—About twelve months.

17040a. Where did you live before that ?—In Ottawa.

17041a. In both of these places, of course, the license law is in force ?—Yes.

17042a. Have you had any experience of the working of a prohibitory law ?—I have had experience of a form of prohibition, that is, the Scott Act. I saw a little of its working in the County of Carleton.

17043a. How was that Act carried out ?—I have never known any difficulty experienced in getting intoxicating liquors. There were two or three places in the vicinity of Ottawa which I visited while the Act was in operation, and in which I always saw liquor obtained.

*By Rev. Dr. McLeod :*

17044a. At an open bar ?—There was not much restraint. On the occasions I refer to, I visited these places in pursuance of my reportorial duties, and I always saw liquors sold.

17045a. Was there an open bar ?—Practically an open bar.

17046a. Was there a bar such as you find in hotels ?—The bar was there, and anybody who wanted liquor could get it.

*By Mr. Clarke :*

17047a. Was it a temporary structure, or a permanent ?—It was the same kind of bar as you find in licensed places. There were a few bottles behind it, and the liquor was sold there.

17048a. The liquor was sold over the same counter ?—Yes.

*By Rev. Dr. McLeod :*

17049a. Were they the same fixtures as under license ?—The fixtures were the same, of course. The Scott Act was in operation in the County of Carleton when I went to Ottawa.

*By Mr. Clarke :*

17050a. It was a regular beer-selling outfit, I suppose, the same as those commonly found in country hotels ?—Yes. Anybody could get beer or whisky ; but what I noticed was that the whisky was of the most pernicious character. It was worse than what I have tasted in licensed places.

*By Rev. Dr. McLeod :*

17051a. Do you attribute that to the law ?—I do.

*By Judge McDonald :*

17052a. Why did they keep this pernicious stuff ? Why did they not keep the same quality as they would under a license law ?—Because the customers could not very well complain of what they were getting, being contributory to a breach of the law. The hotel-keeper could sell them what he pleased, and could in many cases exact his own price.

17053a. Do you know whether this had anything to do with it, that owing to the risk of seizure it was deemed advisable to keep a cheaper class of liquor ?—I think that would have something to do with it, certainly.



*By Rev. Dr. McLeod :*

17054a. Would this have anything to do with it, that because of less profits the hotel-keeper would purchase the cheaper liquor and charge the price he did for the better class?—I do not think there were less profits.

17055a. Less volume of trade, and therefore less profits, and that he equalized things in that way?—Perhaps so.

*By Mr. Clarke :*

17056a. Was there any less volume of trade?—From what I saw, there may have been a diminution : but the greatest sale was on occasions of public gatherings, when the bar would be just as crowded as it would be if the sale were perfectly open.

*By Judge McDonald :*

17057a. Have you had experience of the working of a prohibitory law anywhere else than in the County of Carleton?—When travelling to Halifax, the summer before last, I got off the train at Vanceboro', in the State of Maine, with the view of testing for myself how the law was in operation there. I entered the restaurant, which is on the station platform, and found my way without any difficulty down stairs, where I found a bar fitted up. Two or three other persons got off the train and went there at the same time that I did, and some obtained lager and some whisky.

17058a. Was there any concealment about the sale?—None that I could see.

17059a. Did you visit any places in the Maritime Provinces where a prohibitory law was in force?—I think at Truro, Nova Scotia, there is a kind of prohibitory law.

17060a. It is under the prohibitory clauses of the Nova Scotia license law?—I visited two places there, and found a bar in each place absolutely crowded.

17061a. Where were those places situated?—They were just opposite the station. I had been speaking to one of the railway officials on the train, and he said there was no difficulty whatever in obtaining liquor, and offered to show me where it could be got. He crossed the road with me, and we visited two places, both of which were crowded.

17062a. Was liquor being served out?—Yes.

17063a. Openly?—You had simply to go to the room door and knock, when you would be admitted.

17064a. There was no concealment whatever?—Yes, the door was closed.

17065a. Was it upstairs?—No, on the ground floor.

17066a. Were you in Halifax?—Yes.

17067a. Did you see any liquor sold there?—Yes.

*By Rev. Dr. McLeod :*

17068a. You were at the Halifax Hotel, I suppose?—Yes.

17069a. And there is a bar there?—I believe there is.

17070a. Although it is against the law?—I do not know.

*By Judge McDonald :*

17071a. Were you in any prohibition place in New Brunswick at all?—No, I think not.

17072a. In Prince Edward Island?—Yes, at Summerside.

17073a. The Scott Act is in force there?—Yes. At one hotel there I saw liquor being sold. Several persons were present, and obtained draught ale and whisky.

*By Mr. Clarke :*

17074a. Was it being sold secretly?—No. On one of the occasions that I visited this place there were about a dozen persons in the front part of the hotel, and you simply had to walk into an inner room where the barrels of liquor were displayed.

*By Judge McDonald :*

17075a. Did you visit the place of business of the Scott Act vendor there?—Yes.

17076a. Do you know whether liquor was sold there?—Yes, I obtained liquor there myself.

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17077a. Just as it was sold in the bar-room?—Yes.

17078a. Had you a medical prescription?—No, I simply wanted to test for myself how the law was enforced.

17079a. So that without any medical prescription or certificate from any one in authority, you were able to get liquor from the Scott Act vendor for beverage purposes?—Yes. I got Scotch whisky.

*By Mr. Clarke :*

19080a. Who served you with the liquor?—I think it was the vendor himself.

*By Judge McDonald :*

17081a. Have you been in any other country than Canada in which a prohibitory law was in force except the one place in Maine that you have mentioned?—On one occasion, when returning from a trip to England, I obtained liquor in Portland, but it was a very trifling experience; and passing up through the State of Maine and New Hampshire we saw various hotels en route.

17082a. Are you yourself in favour of prohibition?—No.

17083a. In case of the enactment of a prohibitory law preventing the manufacture of intoxicating liquor in Canada, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I certainly think they should.

*By Mr. Clarke :*

17084a. Why?—Because I think they are engaged in a perfectly legitimate business, and they have a right not to be disturbed without getting adequate compensation.

*By Rev. Dr. McLeod :*

17085a. Do they not undertake the business at their own risk like all other business men?—Yes, but they enter the business with the sanction of the law, and accumulate large stocks, and I do not think their business should be compulsorily terminated without their receiving some compensation.

17086a. Suppose they were given time to dispose of their stocks?—That would probably alleviate matters somewhat.

17087a. Were you on the trip of the Commission throughout the Maritime Provinces last year?—Yes, in the summer before last.

17088a. Were you with Mr. Kribs as his secretary, or did you precede him?—On that occasion I was assisting Mr. Kribs.

17089a. What were your duties at that time?—My duties were to conduct the correspondence.

17090a. Correspondence with liquor men?—Yes, and others; to attend to the compilation of statistical work; and also to see for myself how the law was enforced.

17091a. You were employed by Mr. Kribs to act as his secretary or assistant?—I was assisting Mr. Kribs.

17092a. So that visit was really in the interest of the liquor men of the country?—I had no connection with the liquor men at all. I simply knew Mr. Kribs. He was the only gentleman I knew in connection with the business.

17093a. You took your directions from him?—Yes.

*By Mr. Clarke :*

17094a. You were acting simply as an amanuensis for Mr. Kribs?—Yes, something of that kind.

17095a. During your trip through the Maritime Provinces were you in any place where the Scott Act was enforced?—No, I never was in a Scott Act place where liquor could not be obtained, to my knowledge.

17096a. Were you in Moncton?—Yes.

17097a. What was the state of affairs there?—The bars were wide open, just as they are in a license town, without any restriction of any kind. I saw people passing in and out, and I went myself to a bar and obtained liquor.

*By Rev. Dr. McLeod:*

17098a. When you speak of the bars being wide open, do you mean that they were open all over the city, as in Toronto?—They were open just as in a license place. I saw them in three or four hotels.

*By Mr. Clarke:*

17099a. Did you see a hotel there where the bar was not wide open? No. I saw the sale of liquor proceeding without any restriction whatever.

17100a. As a matter of fact, if you had not been told that there was a prohibitory law in force, would you have thought there was one, from what you saw?—I certainly should not. I was surprised myself, because I thought the Maritime Provinces were banner provinces in regard to temperance sentiment.

17101a. Did you notice that there were large electric lights in the bar-rooms?—Yes, just the same as there are in Toronto.

17102a. And policemen passing?—Yes, and you could walk right in from the street.

17103a. Was there any concealment?—No concealment whatever.

*By Rev. Dr. McLeod:*

17104a. How many places did you visit?—Three hotels in Moncton.

17105a. In how many other places in the Maritime Provinces did you see liquor sold?—In every Scott Act place I visited.

17106a. Were you in Yarmouth?—No.

*By Mr. Clarke:*

17107a. Were you at Fredericton?—No.

REV. BENJAMIN B. KEEFER, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

17108a. Where do you reside at present?—I am at present in Toronto, temporarily only; but I have resided in Toronto for some years.

17109a. You are a minister of the Methodist Church of Canada?—Yes.

17110a. We have put before us a declaration of that church in favour of prohibition, made at the General Conference in Montreal in 1890, with which you are doubtless acquainted. Do you personally concur in that declaration?—I do not just recollect the details, but the principle of the declaration I thoroughly endorse.

17111a. Have you had any experience yourself in prohibition work?—I have had a somewhat extended experience. I was for some years agent of the Dominion Alliance; I have travelled through Ontario from end to end, and I have also travelled in the Maritime Provinces.

17112a. Did you take part in some of the Scott Act contests?—Yes.

17113a. Perhaps you would make a statement yourself. I suppose at the outset you are in favour of a prohibitory law?—I am a prohibitionist from conviction, and, so far, seeing the defective embodiment of the principle in law, and then its ineffective enforcement, has not at all weakened my conviction. I confess to having seen a great deal that has disappointed me; but at the same time I revert to the original position that I believe prohibition to be right in principle, and I believe it to be practicable of effective enforcement. I have never regarded the Scott Act as an adequate measure, or

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an adequate answer to the demand of the public for prohibition. I urged its adoption in the counties on the ground that it gave a measure of prohibition, and it absolved us from all responsibility for the traffic in so far as that was possible. I further urged its adoption on the ground—and I believe many people were influenced by the argument—that it was the only way we could poll the sense of the public in favour of a prohibitory measure. It was only the day before yesterday that I came across a statement made by the Hon. Thomas White in 1884, to the effect that the failure of the people to adopt the Scott Act was because there was no general demand for prohibition. I stated, in making that argument, that until we adopted the Scott Act we could not expect Parliament to give us a prohibitory law or to go any further than they had gone in the Scott Act. At the same time, I did not feel perfectly satisfied with the Scott Act, nor was I convinced that it would realize all that many of the sanguine advocates of the measure expected from it. But as embodying the principle, as releasing us from responsibility for the traffic, as polling the sense of the country in favour of prohibitory legislation, and enabling us then to go to Parliament and say, “the country is with us, and the country wants prohibition: give us prohibition,” I regarded the Scott Act as valuable.

17114a. So far as your observation went, what were the benefits and what the defects of the Scott Act where it was in force?—The benefit of the Scott Act I found to be largely educational. It outlawed the traffic, and placed the law of the land in harmony with the pulpit and school of the country. Licensing the traffic, while from the churches you are denouncing it, and in the school-houses you are declaring its baneful effects, I thought was inconsistent; and one of the chief benefits of the Scott Act was that it put the law of the land on the same side as the church and the school on this question. The educational value of that I deem to be very great indeed; and while not expecting that the Scott Act would completely prevent the sale of liquor, I believed that it would so degrade the traffic, so bring it into contempt, that self-respecting men would go out of it, and that any person having a proper regard for himself would refuse to go into those unlicensed places, and that a generation would grow up under the influence of prohibitory legislation, even this defective measure, that would come to think of the traffic in an entirely different manner from that in which we who were brought up under license laws had regarded it. I believed further that the removal of the temptation to drink would prevent the creation of a class of drinkers; so that, while there would be some who would get it no matter how rigid the restrictions were, there would in time grow up a generation who, not having acquired the appetite, would give us a strong public sentiment, which would in a short time sustain the prohibitory law. I believe that in consequence of the operation of the Scott Act the crime has been less. I believe the records—which I have not at hand—they being with my effects in Pennsylvania—fully sustain the contention that there was a decreased consumption of liquors and a diminution of crime in those counties where the Act was anything like rigorously enforced. I found, however, that the Act was defective in operation, in this respect, that it gave us a kind of checker-board experience: we had the Scott Act in this county, and liquor sold in the one next, and in the latter the respect for the law was not the same as in the adjoining Scott Act county: liquor was readily obtained across the lines, and the liquor obtained in the county was proved to be not always for medical purposes. Then, I found from experience that the officers set to enforce the law in many instances made a farce of the thing. Probably that is a strong word to use. They did not appear sympathetically to administer the law; where they did, it was compulsory. It was not the administration of men who thoroughly supported the measure, such as they gave to other measures which are passed without an emphasis, I think, equal to that with which the Scott Act was passed. The Scott Act having been first given by Parliament, and then ratified by the people, I thought was in a double sense worthy of enforcement; but they did not give it that enforcement. I do not desire to mention names; but I could give many instances in which the officers not only did not enforce it, but violated the law themselves. I think the evidence of one of the brewers here was that he himself had drunk in a Scott Act county with an Inspector. I knew of cases of that kind, and when I myself was compelled to make representations that an officer was not enforcing the law as he ought to do, I was very plainly told,

"We could only go as far as public opinion would sustain the officer." I believe there were those advantages accruing from the operation of the Scott Act: educational, diminished consumption of liquors, the removal of temptation, the diminution of crime; while the Act was imperfect as an embodiment of the principle of prohibition, and gave no fair test of what we could realize under a prohibitory law. As a matter of fact amendments were denied us. It was my privilege to lobby a little in the session of 1885 against wine and beer amendments, and I found that, though the law for levying a tax on the Chinese could be amended where it was found to be defective, the Secretary of State could not facilitate any amendments to the Scott Act when it was found that these were necessary to the proper working of the Act. So that I found that between the upper and nether millstones we were being ground out.

17115a. Speaking of the carrying into effect of the Act, do you think a good many people who favoured it voted for it, and then thought it would take care of itself?—I am quite sure—making a general observation—that the people who voted for the Scott Act did not feel it incumbent upon them to enforce it; and there was a shrinking from the odium attached to its enforcement, together with the fact that the people were afraid, owing to the system of terrorism that was introduced, in the form of dynamiting, burning the barns of people, and in the case of the Inspector of Smith's Falls, treating him in such a way that his death was the result. The terrorism that prevailed did induce a paralysis of effort. I recall a particular case in which it was charged that the local association, under what was called the McCarthy Act, were not enforcing the law. I said to the party who made the charge that I thought the association were doing their full duty. "No," he said, "I have a couple of cases here now, and if the association does not put them through, I am done with it for ever—I will send no more." I said, "Give them to me, and I will see that they are put through." I swore out the information as agent of the Alliance, but I found that it was very difficult to get the evidence—that men did not wish to be found in the case. I frankly confess that many of our people who voted for the Scott Act did not feel that they should accept any responsibility in enforcing it.

17116a. Did they think that, like any other law, it would move along smoothly, and take care of itself when it came into effect?—I told them, when we were adopting the Act, that we were adopting it with the amendments contained in the McCarthy Act. I told them that the provisions of that Act enabled the executive of the local association to recoup themselves by receiving half the fines; but when the judgment of the court went against the Act, in December, 1885, it removed all that from us, and left us, if we were to enforce the Act, to do it at our own expense.

17117a. In the following autumn the Order in Council was passed giving the fines to the county councils for the enforcement of the Act?—Yes, but not giving them to the local executives.

17118a. Do you know of any law that gave the fines to the local executives?—The McCarthy Act gave half the fine to the prosecutor. Take the Simcoe County case. The supporters of the Act there organized, employed their own prosecutor, met the expenses, and took half the fines. They were doing very efficient work, and the Act was well enforced there up to the time of the nullifying of the McCarthy Act. Although a year later the Order in Council gave the fines to the municipalities, the executive could not control the use of them.

17119a. Did you find that the municipalities used the fines for the purpose for which they were given?—I cannot recall a case in Ontario where they did it.

17120a. We find that in some counties there were large surpluses of Scott Act fines that were never used. Do you know if there were many cases of that kind?—I cannot say.

17121a. You spoke of the odium of enforcing the law. What do you mean by that? Do you mean the ill-feeling that would be shown to men if they enforced the law?—Yes, I mean to say that there was a hornet in the community that would make it very unpleasant to any who attempted to enforce that Act, though the better element of the community might be with them. Take the case of the president of the Simcoe

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county executive who was very vigorous in this matter ; he found his business very much affected, and his house was dynamited.

17122a. To what do you attribute the repeal of the Act?—Failure to realize the sanguine expectations of the people. I think people expected too much of the Scott Act, notwithstanding all we could say in guarded terms as to what this measure should do and the time that should be allowed it to do its work. People expected that it would do more than it could do, and did not consider the embarrassments in the way. I appealed to our people, and attempted to show them that the blame did not attach to the Act or to the principle which it embodied, but to the provincial and Dominion authorities—the former, for not giving it the enforcement which I thought they ought to give, and the latter for failing to give the amendments that I thought they ought to give, and that would apparently be given to measures of another kind.

17123a. Do you notice that in the Maritime Provinces the people have not repealed the Act, but have kept it in force?—I have, and I will give you one reason why that is the case. I found that in the Maritime Provinces the local authorities had the power of enforcement. Here the Ontario Government claimed to itself the right of enforcement, and took to itself all responsibility in the matter. In the Maritime Provinces the license system is still in the hands of the municipalities, and is controlled by them, instead of by the provincial authorities, as here. Therefore the funds go to the municipalities, and where the sentiment of the community would demand it, they are able to obtain an Inspector who is in sympathy with the Act, and who is not, for any reason that the Provincial Government might think sufficient, restrained in the enforcement of the Act.

17124a. We found in New Brunswick that the case was the other way?—I am speaking of Nova Scotia.

17125a. In New Brunswick, where the Scott Act is kept in force, we find that they have not the Inspectors you speak of.

Rev. Dr. McLEOD.—In some cases they have.

*By Judge McDonald:*

17126a. Do you think the fact of their keeping the law in force may be attributed to this, that in the Maritime Provinces the temperance sentiment is so strong on the part of the people that they stick to the Act as a prohibitory measure?—In Charlottetown they repealed it.

17127a. Charlottetown is a city ; it is in force in the rest of Prince Edward Island?—I think the sentiment in the Maritime Provinces is older, stronger and better educated than in this province.

17128a. Have you not found that the temperance sentiment in the Maritime Provinces is deep seated?—Yes, and I found that what you might call leaders in thought and leaders in society, though some of them might on the quiet take their own glass, were in favour of this prohibitory law.

17129a. Have you found this also in the Maritime Provinces, such a sentiment against the licensing of the traffic that a large number of people, while wishing to see no sale at all, would rather see any sale that there may be, carried on without the sanction of the law?—Yes, I saw that, and that is in full accord with my own conviction. I would sooner have the liquor traffic as we have houses of prostitution.

17130a. Did you see the state of things in Charlottetown?—I spent about a month in Charlottetown last summer.

17131a. You know the system there ; regulation without license. Would you prefer that to such a license system as we have in this province?—No, I have no sympathy with the condition of things that prevails in Charlottetown.

17132a. If you cannot get prohibition, would you rather have regulation without license than a license system such as we have in this province? There was free sale in Charlottetown?—Yes, I was pained to see that, I have spent four seasons in Charlottetown ; yet this year was the saddest experience I have ever had there.

17133a. Will you tell us the system you prefer in case you do not get prohibition?—I refuse utterly to accept responsibility for license at all. I will never mark a ballot in favour of license.

17134a. What, then, if you cannot get prohibition? Would you let the thing take care of itself?—Yes, I have said I would let the thing go of itself. Of course, if I could get regulation without any responsibility for the existence of the traffic—

17134½a. Now, will you tell us the state of things you saw in Charlottetown last summer?—I saw liquor anywhere and everywhere.

17135a. Under regulation?—It is under regulation, but it is ineffective, after all.

*By Mr. Clarke :*

17136a. Were you there during the time of the Scott Act?—Yes.

17137a. Did you see men going into places under very suspicious circumstances?—My visit to Charlottetown during the Scott Act period was not as prolonged as my later visits.

17138a. How long were you there during the Scott Act period?—I would be there two or three days, and then a day at Georgetown and a day at Summerside. I was satisfied that liquor was sold at Charlottetown at the time of the Scott Act. Still, I saw nothing approaching the evidences of the sale of liquor or the amount of drunkenness that I saw last summer.

*By Judge McDonald :*

17139a. Have you seen the statement issued by the authorities of Charlottetown, giving the number of arrests for drunkenness there, before, during and since the time of the Scott Act?—No.

17140a. Have you seen that by the last statistics furnished there has been a diminution in the number of arrests for drunkenness?—No. I would be very distrustful of those statistics. I saw that the number of arrests for drunkenness in Hamilton under license had very much decreased, but I found that an order had been given to the police that if a man could be helped home, they were to help him home instead of arresting him.

17141a. Do you know whether such an order came into effect in Charlottetown?—I do not.

*By Mr. Clarke :*

17142a. Do you know Judge Fitzgerald of Charlottetown?—I know him as President of the Young Men's Christian Association.

17143a. Do you think that statistics furnished by him would be correct?—I should think that he would say what he believed to be true.

17144a. Do you know any one who would be a better authority than Judge Fitzgerald, so far as Charlottetown is concerned? He has had the administration of the law when the Scott Act was in force for nine years, under the license law previous to the Scott Act, and during the period of free sale under the existing regulation?—I do not know anybody who would be in a position to give better information, but I would say that even he, in compiling statistics and giving his honest convictions, might be misled, and I would require to examine those statistics before I would accept them as a finality, for I have often found that there are occult reasons that do not appear on the surface.

17145a. Can you suggest any other person to whom we can apply to ascertain the facts of the case?—There is Judge Hensley.

17146a. If the statistics furnished by Judge Fitzgerald are reliable, there is a better state of things existing now than there was under the Scott Act?—I may say that in conversation hither and thither last summer in Charlottetown the impression gleaned everywhere was that the state of things was a little better now than it had been in the first year after the repeal of the Scott Act, but that any condition is worse than the worst under the Scott Act.

17147a. We had the Hon. Mr. McKenzie before us there, and he gave us to understand that the reason of the limited number of drunken men seen on the streets during

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the Scott Act period was that it was a practice of those who sold illicitly to keep the men who got drunk in their places until they got sober again?—I have been told that.

17148a. Is there any reliance to be placed on that statement?—I do not know that there is. The impression gathered in general conversation with those who were in a position to know the facts was that the worst under the Scott Act was better than the best under repeal.

*By Judge McDonald :*

17149a. Did they say whether they were taking any steps to have the Scott Act submitted again?—No ; I do not recollect that there was anything to be done in that direction.

*By Rev. Dr. McLeod :*

17150a. Did you learn that there was a tendency to demoralization among the boys under the present state of things in Charlottetown?—No ; and I would not say that I saw any evidences of special demoralization among the boys ; it was the general effect of drink that I saw. I might say further, with regard to the operation of the Scott Act, that I was in Moncton, New Glasgow, Pictou, Truro, and I did not see the open sale the gentleman who preceded me spoke of having seen. I know that as I passed out of the hotel in Moncton, I heard a bell ring to give the warning.

*By Judge McDonald :*

17151a. Where were you in Moncton?—I was at the Commercial hotel, next to the post office.

17152a. Did you go to the Brunswick house?—I did.

17153a. Did you notice a large open bar facing the Main Street?—I did not. I know that liquor was sold in the Commercial ; there is no question about that.

17154a. Did you go to where there was an open liquor shop facing the street?—I did not. I am only affirming that as I passed through the Commercial hotel the man behind the counter gave the signal, for I could hear the bell ring.

17155a. What was the result of the bell being rung?—I do not know what happened behind the door ; but the bell rang behind the door where the bar-room was.

17156a. You did not go to see what the result was?—No.

17157a. Was your attention called to the fact that in Moncton on the evening of the 11th of July, 1892, the Chief of Police advertised in the evening papers, requiring all hotel-keepers to keep their bars closed on the following day?—Yes ; I know that in some cases the municipality virtually compounded with the hotel-keepers, and adopted a system of fines that was virtually a license.

*By Mr. Clarke :*

17158a. It is one of the difficulties that perplex us—why the authorities of the various municipalities did not put money into the estimates to provide for the enforcement of the Scott Act, if it is their desire to enforce it?—It is not their desire, though the fact that the people adopted it by a majority was indicative of the people's desire that it should be enforced. But the violators of the Act would spend money, raise technical objections, and appeal cases to exhaust the financial resources of the prosecuting party ; and when they are appealed, I know how they are hung up for two or three years.

*By Judge McDonald :*

17159a. That is a very serious charge to make against the courts?—I am not saying that the courts kept them back. The counsel for the defence, by their technical resources, certainly succeeded in holding cases back, so that the prosecution could not initiate new cases or have the parties tried for third offences, until the other cases were settled. The whole thing points to the necessity of a law for the Dominion which shall be enforced by the Central Government, who, getting a judgment from the courts on the question, will be in a position to go forward and prosecute without all the vexatious delays incidental to prosecutions, under the license laws of the provinces.



17160a. Going back to Moncton, men have been fined there five or six times for violating the law ; is there any reason why they should not be fined twenty or thirty times ?—No. But if there was imprisonment for the third offence, then they would resist.

17161a. Are not the municipal authorities who agree to this compromise elected by the same people that carried the Scott Act ?—They are elected by the people, just as in the State of Maine, when I inquired of a man why the law was not enforced, he said, “ The politicians get the vote of the temperance people by promising to enforce it and they get our support by promising to leave us alone.”

17162a. Can you give us any information as to the cause of the condition of things in Moncton, where bars are kept open and lighted by the electric light, and where the people who keep them are fined repeatedly for the continuous violation of the law, just as if each case was a first offence, and the real enforcement of the law is practically neglected ?—I do not know as I can give you any information that you have not secured in Moncton. The temperance sentiment is so strong that the people will not have licenses under any circumstances. When you say that the bars are lighted by the electric light, I do not know what you refer to, unless it is to the fact that there is in the hotel an arc light which illuminates two or three rooms, one of which is a bar-room. That can be seen in this city.

17163a. The Chief Constable swore to the sale of liquor in ten or twelve places in Moncton ?—I do not doubt it. It is a composition. The people do not want the traffic, they have declared they do not want it, and yet there seems to be such a condition of things.

17164a. Can you say whether this has anything to do with it, that the amount of money received in fines goes to lighten the taxes of the people to that extent ? Do you think that perhaps makes the people more quiet than they would otherwise be ?—I do not think it affects the people, who really want this measure ; but with the members of the council it may be a serious consideration.

17165a Is there any further statement you would like to make ?—I do not know that there is anything special, except to say that I have seen these defects in the operation both of the Scott Act and of the Maine law ; and that they have all tended to confirm my conviction that the remedy does not lie in any measure of local prohibition, but in a law for the total prohibition of importation, manufacture and sale for the whole Dominion, and that the law should be administered by the Central Government ?

17166a. The Dominion Government ?—Yes, that would be my judgment.

The Commission adjourned.

TORONTO, December 7, 1893.

The Commission met at 10 a.m.

*Present :*

JUDGE McDONALD.

MR. E. F. CLARKE.

REV. DR. McLEOD.

JACOB H. SNIDER, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

17167a. What is your occupation?—I am superintendent of the Helping Hand Home of Toronto, and agent for the Prisoners' Aid Association of Toronto.

17168a. How long have you lived in Toronto?—Nearly four years.

17169a. Before that where did you live?—Just in the vicinity of Toronto, in the County of York.

17170a. Will you please state what the objects of the Helping Hand Home and the Prisoners' Aid Association are?—The object of the Helping Hand Home is to arouse men to ambitions which rightfully belong to them. Perhaps men, through incompetence, have not been able to earn a livelihood for themselves and their families, and become a burden on the community. The object of the Helping Hand Home is to furnish such with a place where they can live cheaply while earning small wages, and to help strangers who come to the city, and encourage them to take situations in country places and elsewhere, rather than remain in the city, which is already overcrowded.

17171a. Can you give us any idea of the extent of the work that is carried on in these homes? take, for instance, a year?—In the year we furnish about 15,000 meals and probably 8,000 lodgings; but we deal personally with about 3,000 people annually.

17172a. Are these people all Toronto people, or are they from different sections of the country?—They are from all over the world.

17173a. How are these institutions maintained?—The Helping Hand Home has been maintained by voluntary contribution, and some of those who came to stay with us were able to pay something towards defraying the expenses of looking after them. Our rate is forty cents a day if a man is able to pay it; if not, we take him for nothing, provided he gives evidence that he wants to take hold of honest labour as a means of livelihood. The Prisoners' Aid Association has been organized for eighteen years. It is maintained by grants of \$1,000 from the Ontario Government, \$600 from the city of Toronto, and contributions from outside municipalities. The object of that is to visit prisoners while in prison, and to encourage and help them on their discharge to follow honest callings as a means of livelihood, to send them to situations, get tools for them, support and visit their families, and so on.

17174a. Do you personally come in contact with these people?—Yes.

17175a. Have you been able to ascertain what their previous habits have been as to temperance and sobriety?—Men in prison have an idea that visitors know that they are not there for any good reason, and all men are anxious to have an excuse, and I think a great many of the men in the prisons attribute the fact of their being there to the use of liquor when that is not the case. But my discharge sheets show that a slight fraction over fifty per cent of the prisoners in the Toronto jail have been sent there on no other charge than drunkenness.

17176a. Do you know whether any of these are what are called repeaters?—Yes, a great many are repeaters.

*By Mr. Clarke :*

17177a. Are there over fifty out of every hundred individuals in the jail sent there for drunkenness?—That is what the discharge sheet shows.

17178a. Were they different individuals or the same person over and over again?—The same person. Sometimes the same person is in the jail eleven times in a year.

17179a. And he is put down on your discharge sheet eleven times?—Yes. The report of the jails and prisons for 1892 shows that there were in that year thirty per cent of the prisoners in the jails throughout the Province of Ontario who were brought there charged only with drunkenness.

*By Judge McDonald :*

17180a. What about the habits of the people you have to deal with who have not been in jail?—I have given that considerable study. I would think that eighty-five per cent of those who come to the Helping Hand Home asking for assistance would be brought there through the influence of drink, either directly or indirectly.

17181a. Are you yourself favourable to a prohibitory law?—Yes, I am favourable to anything that would stamp out this evil.

17182a. What extent of prohibition do you favour?—I would certainly like total prohibition.

17183a. Prohibiting the manufacture, importation and sale for beverage purposes?—Yes.

17184a. Would you make an exception of liquor needed for mechanical, medicinal and sacramental purposes?—I would for mechanical and medicinal purposes.

17185a. Would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—No, no more than the owners of stage lines should be remunerated when a railway runs through their section of country where they had been operating their stage lines.

17186a. I suppose the man who owns the stage can continue running if he pleases?—He can, but it will not pay him.

17187a. Do you propose, then, not to interfere with the brewer or distiller any more than you would with the stage line, that is, to let him continue his business if he chooses, or do you intend to stop him?—Yes, I intend to stop him.

17188a. Are they in the same position, then?—Not exactly.

17189a. Can you name to us any country in which there is in force such a law as you wish to obtain for Canada?—No, I cannot. Still, I would feel inclined to think that we as Canadians should try something rather better than has been tried in other countries.

17190a. You are willing to make the experiment anyway, hoping for beneficial results, is that it?—Yes.

17191a. In case of the enactment of such a law would you permit farmers to make cider from their own apples, or wine from their own grapes, for their own use?—I rather think I would allow that, if they chose to do so.

17192a. Would you allow the mechanic in town to purchase grapes and make wine in his own house for his own use?—Yes, I think I would.

17193a. Then, would you permit persons to bring in liquor from other countries for use in their own homes?—No.

17194a. Have you paid any attention to the working of the license system in Toronto?—Yes, I have to some extent.

17195a. Do you find that the provisions of the law are well carried out?—Fairly well. There might be an improvement.

17196a. Will you mention in what respect?—There is considerable liquor disposed of during prohibited hours.

17197a. On Saturday night and Sunday?—Yes.

17198a. In licensed places?—In licensed places.

17199a. Is this general throughout the city, or is it confined to a few places?—I rather think to a few. I would not say that they all do it. I might mention that some years ago I was general agent for the Massey Manufacturing Company in this city. I

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used to be about hotels a good deal, and my experience was that this law was not observed to the letter.

17200a. Have you reason to believe that there is much illicit sale in Toronto?—I do not think there is a great deal.

*By Mr. Clarke :*

17201a. Regarding the present method of treating drunkards—committing them to jail again and again for periods of thirty or forty or sixty days—what have you to say?—I am not in favour of the system.

17202a. What would you suggest as a substitute for it?—I would suggest that a place should be provided specially for these men, and that they should be committed to it somewhat on the plan of the parole system on the other side.

17203a. Indefinite sentence?—Yes, and if a man gave evidence of improvement, to give him an opportunity to have his liberty. If we could have a home of that character, under an industrial system, where a man could do something to support his family, I think it would be far better than the present system. I do not think it has any effect in the way of reforming a man to send him to jail for thirty days.

*By Rev. Dr. McLeod :*

17204a. You state that thirty per cent of those committed to the jails of Ontario were charged with drunkenness simply. Have you made an examination as to how far the drink habit and the drink traffic have had to do with the other seventy per cent?—Yes. I would say that in the case of half of them drink has been the direct cause of bringing them there.

17205a. That is, making allowance for the statements made by prisoners which you do not accept, that they were drunk when they committed the offence?—Yes.

17206a. You think that half of that seventy per cent, were really brought there through drink?—Yes. I may state that I have opportunities of finding these things out in my visits to the families of prisoners. Being a regular attendant of the police court, I meet numbers of these people, and in visiting their homes I see what condition their wives and children are in, and I do not think I am very far astray in that statement.

17207a. You think you get the actual history of the people?—I think I do.

17208a. Have you observed whether the drink shops as established are a danger and a source of temptation to discharged prisoners who but for them would keep sober and pursue a different course entirely?—Most decidedly. It has been one of the difficulties in my work to get the men past the hotels. A discharged prisoner, breathing the air of freedom, feels rather good about it, and there is always somebody ready to ask him to brace up a little, and to take him to the first hotel they meet. I have very often visited a prisoner the night before he is discharged, and he has promised to come to the Home and take a situation that I had ready for him, but he will get drunk before he gets that far, and perhaps late at night he will appear at the Home in a state of intoxication and ask for admission; and I have found out from them that it was in meeting these places or coming in contact with people who were visiting them that they had to drink.

17209a. And you think that but for the maintenance of the shop the men would be saved from that danger and perhaps be restored to honourable life?—Oh, I presume so.

17210a. You rescue a percentage of the men who come under your care?—We are encouraged in that direction, though it is an up-hill work. We have a good many men occupying honourable places now who relate how things were committed that would not have been committed but for drink.

17211a. You mentioned having had business relations with the Massey Company, and I suppose you came into contact with commercial travellers. Have you a knowledge of the effect of the drink traffic and drink habit on business men especially?—Unfortunately, I know a little more about that than is good for me. From a personal standpoint I have had experience in that direction. It is a common thing among men of that class to be known as jolly good fellows, and sometimes they get very jolly, but

not very good. Men will do, when under the influence of drink, things that they would not do at other times. Not that I think that men are so good, but when they are sober they have control over their emotions, and do not permit themselves to do things that they do not hesitate to do when under the influence of liquor. I have known men in prison for doing while under the influence of liquor what they would not think of doing in their sober moments, or if they did think of doing it, they would have sufficient self-control not to do it.

17212a. It is sometimes claimed that under such regulations as obtained in Toronto, the drink traffic gets into the hands of the most reputable and responsible men, and that the evils of the traffic are reduced to a minimum. I would like to ask whether you have observed that the drink trade, conducted as it is with all these excellent regulations and by the men engaged in it, has been a help to you in your work of rescuing men?—Not at all. They are very detrimental, the very best of them.

17213a. Then the danger to the man you have to deal with is not exclusively in the illicit trade, but in the licensed trade as well?—In the licensed trade.

17214a. Even as conducted by men who are regarded as highly respectable and thoroughly responsible?—Yes. I have known men to get liquor when I have told the vendor the state of affairs at home—the wants of the family and the condition of the man, what his life had been and what the indulgence in drink had brought him to; I have known the same man to get all the drink he wanted in licensed houses.

17215a. So, the regulation of the trade under license does not make it less dangerous so far as your experience goes?—Not to the class of men I am dealing with.

17216a. Perhaps you would like to make some statement on this question independent of any questions we have asked you?—I think the ground is pretty fairly covered. I might make some statements as to what I have done with the men I have had to deal with in the way of reformation. One man was an old railroad hand. He was of a very respectable family; but he had got very low, and his people had discarded him on account of his dissipation. When he was restored, as I am thankful to say he was through the influence of the Home, he said: "Now I think I will leave and go to some place where liquor is not sold." He is now running on the Canada Pacific, east of Toronto; he did not get away. He told me that the main trouble with railway men was that as a rule they were very fond of drink, and people were fond of selling it to them because they were good fellows and generally good pay. He has held on for two years, and keeps perfectly sober and is doing very well. Others with whom I have had dealings have had business relations which brought them into contact with men who were in the habit of drinking, and who have led them away again. A reformed man is always in danger in that way. I knew one man who had been a commercial traveller for years, but he had left the road and started in business for himself. So long as he was off the road he was all right; but he thought he was not getting on fast enough, and he went on the road again. He was only there three months when the firm he was travelling for had to put him off on account of his falling into bad habits again. If there was no liquor sold, I do not think he would have fallen away. A man of that class is not likely to go to illicit dives.

17217a. Perhaps you have some statistical tables bearing on this subject that you would like to leave with us?—I have here a report of the prisons of Ontario that I would be pleased to leave with you.

17218a. Does that include a report of your own work?—Yes, that is, of the prisoners' Aid Association work, but not of the Helping Hand Home.

*By Mr. Clarke:*

17219a. Have you had any experience of the operation of a prohibitory law in any part of Canada?—Some years ago I had.

17220a. Where?—In Halton County.

17221a. What was the effect of prohibition there? You refer to the Scott Act?—Yes. It had a pretty good effect, but it was just at the commencement of the Scott Act times.

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17222a. Do you know what led to its repeal?—I think the want of proper machinery to enforce it.

17223a. Was the condition of affairs in Halton under the Scott Act preferable to the condition of affairs in Toronto under license, just as you have found them in both places?—The Scott Act certainly was not a success.

17224a. Which of the two systems was the preferable—taking the Scott Act as you found it operated, and the license law as it is operated and administered here?—I think the license law is preferable; but I do not think that is any fault of the Scott Act.

17225a. Have you had any experience of any other prohibitory law?—The Dunkin Act.

17226a. How did it work?—Something the same as the Scott Act.

17227a. Were you ever in Maine?—No, I have never been in any of those States where liquor has been prohibited.

17228a. Your experience has been confined to these local prohibitory acts?—Yes, in Ontario.

*By Rev. Dr. McLeod :*

17229a. In what respect do you regard the license law as preferable to the Scott Act?—Because we have not had men in sympathy with the Scott Act and the Dunkin Act to act as Inspectors. That is one reason why I think the law has been a failure; and I believe one of the objects should be to obtain men as Inspectors and others who have to do with administering the law who would be in sympathy with it.

17230a. The fault, then, was not with the law?—No, but in the operation or the machinery.

17231a. The officials were neglectful?—I think so.

REV. EDWARD H. DEWART, D.D., on being duly sworn, deposed as follows :—

*By Judge McDonald :*

17232a. You reside in Toronto?—Yes.

17233a. You are a minister of the Methodist Church of Canada?—Yes.

17234a. Have you any stated charge?—I am editor of the *Christian Guardian*.

17235a. How long have you resided in Toronto?—Altogether over twenty-seven years; three years as pastor and over twenty-four years as editor.

17236a. We have had placed before us the declaration of the General Conference of the Methodist Church of Canada in the autumn of 1890 on the subject of prohibition; do you individually concur in that declaration?—Yes.

17237a. Have you had any experience of the working of a prohibitory law?—No, not of any Scott Act or local option.

17238a. To what extent would you carry the prohibition for which you are asking?—I am in favour of the entire prohibition of the importation, manufacture and sale of intoxicating liquors as beverages.

17239a. Would you permit farmers to make cider of their own apples and wine of their own grapes for their own use?—I have never settled these points; but my general feeling is that I would be very slow to interfere with anything like personal liberty. I never prepared a Bill just representing my own ideas, and therefore never came to any very decided views on these points.

17240a. What you had in view was, I suppose, the traffic?—Yes.

17241-42a. In case of the enactment of such a law, would you except from its operation liquors needed for mechanical, medicinal and sacramental purposes?—Yes.

17243a. Would you deem it right, in case of the enactment of such a law, that brewers and distillers should be remunerated for plant and machinery rendered useless?

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—I have always considered that an open question, worthy of consideration. Something would depend on circumstances ; but I admit that there is a great deal of force in the position that if a man has invested his money under legal authority, there should be some recognition of that. At any rate, I would rather remunerate for that kind of investment than let that stand in the way of a prohibitory law.

17244a. You spoke of having been a pastor in Toronto for some years. As a pastor had you an opportunity of observing the effects of intemperance on different classes of people?—Yes, to the ordinary extent that a minister would reach in his rounds.

17245a. Did you find that there was much misery resulting from it?—Yes, a good deal. The particular cases that came under my observation would be limited in number, though all through my life, as well as while in the pastorate, I have seen a great deal of discord in the family and misery produced by drunkenness.

17246a. Have you observed during the past twenty-five years a growing temperance sentiment and temperance habit in the community as a whole?—Yes, stronger and more widespread convictions in favour of temperance principles.

*By Mr. Clarke :*

17247a. You heard the testimony of Mr. Snider, comparing the present license system as it is enforced and operated in Toronto with the operation of the Scott Act in Halton. Relying upon his testimony, would you consider that the Scott Act could be called an educator under those circumstances?—Oh, yes, because I know from a great many other sources just how matters stood in those cases—that where it was enforced it was an advantage, but where the combination against it succeeded in defeating it, it was not an advantage.

17248a. It was not an educator?—Oh, I think it was. Other people think that on the whole it repressed to a good extent, but not completely.

17249a. Would your prohibition go so far as to prohibit the importation by citizens for domestic use?—I have stated already that I have not formulated my views on all the minor points, but I have a strong feeling against interference with the personal liberty of the individual.

17250a. Would you interfere with the right of the individual to bring in liquor for his own use?—I would not just pronounce on that. It would depend a good deal on the particular case and circumstances. I have not formulated my view on the subject.

17251a. Have you given any attention to the present method of treating persons who are continually before the Police Magistrate for drunkenness?—Yes. My opinion is that the present method is not the best. Some other method, having better reformatory tendencies and elements, would be preferable to mere imprisonment for drunkenness, which does not meet the case. Of course, I have not had the practical experience of dealing with these cases that some others have had.

*By Rev. Dr. McLeod :*

17252a. Speaking of prohibiting the importation for personal use, if you found that that were necessary to the success of prohibition, do you think the personal liberty ought to stand aside in the interests of the whole community?—Oh, certainly. That is what I wish to be understood as saying—that I would not want to give a general expression of opinion on the subject.

*By Judge McDonald :*

17253a. I suppose you know that in Maine the importation for private use is permitted—that, in fact, the State cannot prevent it, that being governed by Federal law?—Yes, that is one of the things that operate against the success of prohibition there.

17254a. Do you know that General Neal Dow, in giving his evidence before this Commission, stated that he would not interfere with that right even if he could, because he does not think that public opinion is ripe for it?—I regard as very sacred the rights

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of the individual, but where the exercise of an individual right interferes with the morals of the community, my idea is that the individual right must give way to the general good.

*By Rev. Dr. McLeod :*

17255a. In the changes which you have observed in Ontario, you have noticed this, no doubt, that the restrictions on the traffic have become increasingly severe. Do you regard these restrictions as having kept pace with public sentiment?—Scarcely. There is no doubt there has been a growing and extending conviction of the need of doing something, which has not perhaps been done always intelligently in other countries. But still, there was a groping out for some measure that would restrict. In fact, that is one of the remarkable things of the present day, that in almost every civilized country in the world, though they seem to be moving in different directions, there seems to be a feeling that something needs to be done to remove the evils of the liquor traffic that exist in these different countries.

17256a. Have you observed that these increasing restrictions, notwithstanding the failure more or less of enforcing the law, have had the effect of strengthening public sentiment against the liquor traffic?—Oh, yes. There is a large class of people who have not strong convictions on many points, perhaps, but who, when a measure is embodied in public law, have felt an obligation that they would not have felt without that law.

17257a. It may be, then, that laws against an evil do strengthen public sentiment against that evil?—Yes. I have thought on that point a good deal. I regard the law, especially good laws, as the record of the moral progress of the community—as the embodying in statutes of what have come to be the convictions of the best part of the community; and thus the law becomes an educator. These convictions may not always be the best; but we suppose there has been a moral growth and development, and the law is the expression of that moral growth, and the sentiments it represents are invested with an authority for the public that they would not otherwise have had, and their sense of obligation to them will be such as they would not have felt if those principles had not been embodied in law.

*By Mr. Clarke :*

17258a. Take the case of the Scott Act, which, having been adopted by the vote of the people in a municipality and given a trial, is voted out again; what conclusion can we come to in regard to their action?—I look on it in this way. It must never be forgotten that there was an organized, interested opposition to that law—that there was a party in every community bound in every way to make it a failure and break it down. I do not think the fact that these parties succeeded in any instance gives them a right to say that that is a bad or unaccepted law.

17259a. It is not an indication of a sentiment against prohibition?—The feeling was that owing to the difficulty of enforcing the law—though I think the temperance people gave up a little too easily—nothing short of a general prohibitory law would be effective. But I most distinctly maintain that in those counties where the Scott Act was revoked, that revocation was not an expression of public sentiment against prohibition, and cannot be fairly taken as a sign or token or evidence that a prohibitory law is not necessarily desirable or practicable.

*By Rev. Dr. McLeod :*

17260a. Speaking of the opposition to the Scott Act, have you means of knowing that, besides the local opposition, there was an organized opposition on the part of the liquor interest all over the province, which was concentrated in certain localities as it was found necessary?—I believe that to have been the case, from what I have seen in the public prints, and from the strength of certain localities, indicating outside help. I believe there was an organization to break down the law and make it ineffective.

17261a. Have you been able to form any idea of the effects of the license system in Toronto?—So far as it restricts the sale, a license law from my point of view is an advantage. I do not agree with some of our temperance friends who, if I understand



them rightly, would abolish the license system anyway. If you put the license system against prohibition, I am against the license system every time; but if you put the license system against free liquor, I am for the license system every time. In so far as it is a restrictive measure and tends to lessen the amount of sale, I think it is beneficial as compared with free liquor.

17262a. That is to say, the features of the license law that you favour are the restrictions?—Yes, but not the permission.

*By Judge McDonald :*

17263a. Is there any statement you would like to make?—There are two or three remarks that I would like to make. I notice that a good many, and some in giving their evidence before this Commission, speak as if the object of those who favour a prohibitory law were to restrict individual liberty by preventing this man and that man drinking. I do not think that is a fair way to put the question. I regard this as the question: Is the liquor traffic, as now legalized, a benefit and advantage to the community that should be maintained by the public authority, or an evil and mischievous thing? I think that is the whole question. If the liquor traffic—the saloon and the selling of liquor—is immoral in its tendencies, producing poverty, misery and crime, and the whole effect of it prejudicial to the best interests of the community, then the difficulty of enforcing it should not stand in the way of adopting it. The question is not whether this man or that man should have the right of drinking; that is not a fair way to put it; but the real question before the country is, what is the general effect of the traffic in intoxicating liquors and the facilities for getting liquor in saloons? If you can prove that it is a good thing, that it helps morality and the general prosperity of the country, then you must stand by it and maintain it; but if it can be shown, as I think it can, that its whole influence is demoralizing and injurious, then no difficulty in regard to enforcing it should stand in the way of taking the authority and support and sanction of the law from behind anything that has that effect. Another point that has been brought up, and I think it is a very weak point, is that it is a divine order that we should grow stronger and better by resisting temptation. We all know that; but to suppose that it is our duty therefore to spread the temptation and lay snares for the young, is, I think, a curious argument. And yet the idea has been put before this Commission that we would be doing wrong if we lessened the temptation. Surely, anybody will see that there is enough to try our strength and to ensnare and lead away the young after we have done all we can to remove temptation from them. Therefore, to speak as if it was a duty to let it remain as a temptation, because virtue is strengthened by temptation, seems to me a very extraordinary position, especially for a minister of the gospel to take. Then, it is said that you cannot make people good by Act of Parliament. Neither can you make men good by convicting them of crime; but all our laws are directed against crime and vice, and there is no doubt that crime and vice are lessened by law; and when law becomes an indication of the real intelligence and moral conviction of the people, it is invested with an authority which it would not have under other circumstances. With regard to opinions as to the success or failure or impracticability of a prohibitory law, I find that everything depends on a man's attitude. Men who are brewers or distillers, or patrons of the liquor traffic will not be very likely to say that prohibition is a necessary or expedient thing. Another thought that has occurred to me is that there are many thousands of people in Canada who have been total abstainers from intoxicating liquors for years, and nobody will say that these people suffer any disadvantage or are injured by abstaining, or that they are not as likely to be healthy or moral as those who use those liquors. That, it seems to me, answers the argument that facilities for obtaining intoxicating liquors are necessary to be maintained under the sanction of law. So far as that portion of the community are concerned, I think the whole testimony shows that they do not suffer any loss or injury, but rather that it is an advantage for them to be abstainers. Therefore, there cannot be any great necessity for the Legislature of the country affording facilities for indulgence in intoxicating liquors. It is also said that if a man is a drunkard and suffers, it is his own fault, and not the fault of the liquor seller. I have not the least idea of

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excusing the man who drinks or taking the responsibility from him. But under the license system, there are a large number of persons in the community who I do not think want to do harm or mischief or to demoralize men, but who do want to make money. The more liquor they sell, the more mischief is done; but the increase in the sale of liquor is necessary to secure the object for which they engage in the liquor business. They engage in it to make money, not to do harm; but every man who has a license is interested in increasing the sale of intoxicating liquors in the community, and an increase in the amount of liquor consumed certainly tends directly to increase the amount of intemperance and the other evils that flow from the use of strong drink.

*By Rev. Dr. McLeod:*

17264a. You think, then, that as the volume of trade in liquor increases the miseries increase?—Certainly, because the more liquor is drunk the more mischief is done. My meaning is that there is a party in the community whose interest it is to do the thing that tends to increase the evils of intemperance that now exist.

17265a. They do that for the sake of the profit without respect to the effects?—Yes.

17266a. But the question of revenue comes up. The Federal Government and the Provincial Governments receive from the traffic in the way of customs and excise duties and license fees in round numbers eight millions of dollars, and it is said that the country cannot get along without that, and that it is more than an offset for the miseries and distresses caused by the traffic, the statements of which are somewhat exaggerated. Have you thought about that?—Yes. I would answer that in this way. I admit that there would be a certain amount of financial derangement and embarrassment, and there would have to be new adjustments made. But it cannot be denied that the liquor trade does not increase the actual wealth of the country, and therefore in whatever way the loss of revenue might be met, there would be the same and greater resources from which to get it. I am not a politician, and do not want to go into a question of what financial or tariff adjustments might be needed to produce the revenue needed; but what I mean to say is that all the resources are there unbroken and even larger after prohibition than before—that prohibition, while it interferes with a certain method of getting the revenue, does not destroy or lessen but rather increases the resources that are to supply it.

WARRING KENNEDY, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

17267a. You reside in Toronto?—Yes.

17268a. You are engaged in mercantile business?—Yes, wholesale dry goods.

17269a. How long have you lived in Toronto?—Thirty-six years.

17270a. Speaking as a citizen of Toronto, have you paid any attention to the way in which the license law is carried out in the city?—Yes, a little.

17271a. Do you find that its provisions are satisfactorily carried out?—Yes, I think so, on the whole.

17272a. We understand that you have not here the number of licenses that the law would permit?—No, I believe not. It is kept within the limit.

17273a. Have you had any experience of the working of a prohibitory law?—No, I have not had any personal experience.

17274a. Are you yourself favourable to prohibition?—Oh, yes.

17275a. You have heard the evidence given by Dr. Dewart and Mr. Snider this morning?—Yes, partly.

17276a. You have heard the questions put to them as to the extent to which they would carry prohibition?—Yes.

17277a. Will you please state your views in regard to that?—My views concur in Dr. Dewart's. I would be in favour of a prohibitory law prohibiting the importation, manufacture and sale of intoxicating liquor for beverage purposes, and would except liquor for medical, mechanical and sacramental purposes.

17278a. What are your views with regard to interference with the manufacture or importation by the private individual for use in his own house?—That is a matter that requires some thought, taking into consideration the circumstances.

17279a. Is it a point you have not considered hitherto?—Not thoroughly.

17280a. We find particularly in the County of Essex, that a great many farmers are making wine from grapes of their own raising for their own use, and that a great many farmers make cider for use in their own houses, and the question asked is whether prohibition should extend so far as to interfere with that kind of thing?—I do not think I would go so far as to interfere with the manufacture of cider or wine from grapes for use in the household.

17281a. I suppose you know that a good many wines, from currants, rhubarb and things of that kind, make wine, which, if sugar is used, must contain a certain amount of alcohol?—I do not think I would interfere with them.

17282a. It is the traffic you have in view?—Yes. Much of the wine used by the farmers in this way is the kind of wine that is now used generally in the churches—what is called unfermented wine.

17283a. This wine made by the farmers is fermented. In case of the enactment of such a law as you favour, preventing the manufacture of liquors, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—That is a question that has engaged my thoughts occasionally, but not thoroughly. I do not think it would be unfair to remunerate brewers and distillers for their plant—for the amount of capital that they have invested under the protection of the law, but I would be against remunerating them for what are called indirect damages.

17284a. It has been said that the Government of the country has been virtually in partnership with these men, and that in compliance with new statutes and regulations passed from time to time, new machinery and new plant have been required, and that further, by an enactment passed a few years ago requiring distillers to keep their stock on hand for two years, it has been necessary to accumulate large stocks and to provide large warehouses, and that therefore there should be an allowance made to them in case of the enactment of a prohibitory law?—Yes, I do not think it would be unfair to make an allowance for things of that kind.

17285a. Taking what you call direct losses, you think it would be right to make remuneration?—I think so, for the plant.

17286a. Have you considered what method could be adopted for making up the revenue to the Dominion, the provinces and the municipalities, that would be lost in case of the enactment of such a law?—No; but after enacting such a law the country would still retain its strength, its resources and its wealth. These would not be diminished by a prohibitory law; and whatever means the Government might adopt to raise the revenue, whether by direct taxation or otherwise, the same resources are available; and the country, instead of being impoverished by a prohibitory law, I consider will be in a measure enriched. We speak of hard times, and it has been sometimes said that these are caused by over-production—over-production of materials and different kinds of goods. I think the difficulty is not in the over-production, but in the under-consumption. If I visit any of the houses of mechanics, I do not find that they have too much furniture or clothing or things of that kind. I think the country would be enriched if the prohibitory law were in force, because then the means that are now used for strong drinks would be available for other and useful and practical purposes for the benefit of the country.

17287a. As a business man, have you found your business to be affected injuriously to any extent by intemperance on the part of other business men?—It is difficult to speak of that; but I believe we have suffered more or less by the intemperance of men in our employ.

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17288a. I meant whether you have suffered from men to whom you have sold goods, retailers and other men throughout the country, from their being men of intemperate habits?—Oh, yes, we have. I have known some who have been brought to bankruptcy through intemperance, and as a consequence their neglect of their business.

17289a. I suppose you have customers who are total abstainers and customers who are what are called moderate drinkers with whom you have had no difficulty?—Yes.

17290a. Have you any rule with regard to the habits of your employees?—We have no rule that we enforce. The rule that prevails simply is to employ young men of temperate habits. We have had much trouble with some young men in our establishment—excellent salesmen and excellent business men in other ways—owing to their drinking habits. Some of them I have taken to Mr. Morphy to take the pledge; but when they broke it, I thought I would be committing a sin to make them take fresh pledges, and consequently we had to discharge them.

17291a. What is your opinion of the treatment of men who are repeatedly before the Police Court for drunkenness—sending them to jail for short terms?—I could not offer an opinion. I have given no consideration to it.

*By Mr. Clarke :*

17292a. Have you had experience of the different prohibitory laws?—No. No personal experience. I have never resided in any place where any of the local option laws were tried.

17293a. Never resided in Maine?—No, only passed through it.

*By Rev. Dr. McLeod :*

17294a. Speaking of compensation, some people make the point that there ought to be two sides to the compensation—that if brewers and distillers are compensated for any losses they allege they suffer by prohibition, there might be fairly asked compensation for the people who have suffered by their legalized traffic. Have you thought on both sides of the question?—That is, for brewers and distillers to pay them?

17295a. Either the Government or the brewers and distillers ought to compensate the people who have suffered from the existence of the traffic?—That is not a question that I have considered. It would be a difficult matter to accomplish.

17296a. But there is this point, that there would be a degree of unfairness in compensating brewers and distillers for any supposed loss in the way of plant and machinery in view of the fact that they have been enriching themselves through many years—that it would be unfair to tax the people out of whom they have gotten their riches to still further compensate them?—The measure of compensation that I would be disposed to yield would be simply for the plant that they have purchased by reason of the protection that the law affords them; but as for indirect loss that might be calculated for the future, that I would not concur in at all; but simply for the plant that would be rendered useless.

17297a. It has been suggested that if they had notice for two or three or four or five years, they might get rid, not only of their stock, but of their plant, and that that would be equivalent to compensation. Have you thought of that?—That is another view. That would be a certain kind of compensation, and that I would favour very much. If a prohibitory law were introduced, I would favour giving fair notice, whether a year, six months, or two or three years, so as to give them a chance of getting rid of their stock. Then they could not complain of being taken suddenly.

17297a. I suppose that you, like other men in business, have suffered from tariff changes?—Yes.

17298a. Have you ever thought that you ought to have compensation?—That is another aspect of it. We expect, perhaps, to suffer by some of these changes of tariff.

17299a. Of course, it is the duty of business men to be on the lookout for these things, and as far as they can to provide against them?—Yes.

17300a. That suggests this question—that this agitation having been going on for years, the brewers and distillers ought to be prepared for what some people regard as inevitable.

*By Judge McDonald :*

17301a. And at the same time, they have had to keep a stock on hand for two years?—You see, that is a very important consideration.

*By Rev. Dr. McLeod :*

17302a. It is alleged that the two years regulation is first in the interest of the consumers, that the liquors may be pure and less injurious ; and then it has been alleged that the rule has been in the interest of the big distillers, making practically a combine of them, squeezing out the little fellows and giving the big ones a monopoly. But the Government has not said to these men that they must go into the business, but that if they go into the business, or continue in it, certain things must be done. They take their own risks. Should they not take their own risks to the end of the chapter?—It might be argued in that way.

17303a. From your observation as a business man, do you believe that the drink trade has to do with this under-consumption that you speak of?—Yes, there is no doubt about that.

17304a. If the drink trade were abolished, there would be an increased consumption that would equalize matters?—Yes, and increased comforts in the homes of the consumers.

*By Judge McDonald :*

17305a. Is there any other statement that you would like to make yourself?—No.

WILLIAM T. R. PRESTON, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

17306a. You reside in Toronto?—I do.

17307a. How long have you lived here?—About ten years off and on. Five or six years ago I moved here permanently, though I was practically living here before that, my business calling me here six days of the week.

17308a. Have you always lived in Canada?—Always in Canada.

17309a. Have you had any experience of the working of a prohibitory law in Canada?—I have seen the operations of the Scott Act in Ontario.

17310a. In what counties?—I fancy in almost every county during its operation. I was then engaged in political work, and was going around all the time.

17311a. Do you know anything of the County of Halton?—Nothing special; only seeing the evidences of liquor there.

17312a. Did you see in all of those counties evidences of liquor being sold?—Just about.

17313a. Was the sale carried on in different ways in different counties? Was there more or less openness according to the locality?—It was pretty much the same everywhere—a bar-room, sometimes behind the principal bar-room, sometimes in a corner.

17314a. You have spoken of being about the country in connection with political business. A gentleman who gave evidence here yesterday as to the causes of the repeal of the Scott Act in the County of Halton, the Rev. Mr. Kettlewell, stated that it happened at a time when a by-election for the House of Commons was coming on, and that certain Conservatives in a section of the county agreed with the Liberal party there that if the Liberal party would vote for the repeal of the Scott Act those Conservatives would support their candidate for the House of Commons, Mr. Waldie, a merchant of this city, and that the gentlemen on either side acted up to their agreement, and Mr. Waldie was elected and the Scott Act was repealed. Do you know anything of that?—I saw by a newspaper last night that Mr. Kettlewell was reported to have made a

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statement to that effect. As to any such arrangement, one may have taken place without my knowledge, though I never heard of any and I was in the county during the campaign for two weeks at a time. But when Mr. Kettlewell gave his proof as to the person elected, he was altogether astray. Instead of Mr. Waldie being elected, Mr. Henderson was elected by a majority of about 140, if my memory serves me rightly.

17315a. Do you remember the year?—February 7, 1888, and on the second of March following, the repeal of the Scott Act was carried.

17316a. By what majority?—About two hundred, it was reported in the papers at the time.

17317a. Mr. Kettlewell stated that Mr. Henderson is now the member, and that he is a prohibitionist?—I do not know as to that; but I know he was not the Liberal nominee.

17318a. Do you know who represented the county in the Local Legislature?—Colonel Kearns.

17319a. Mr. Kettlewell stated that he is a prohibitionist?—He claims to be.

17320a. In a good many sections of the country, where gentlemen have told us of the benefits that resulted from the operation of the Scott Act, when we asked them why it was repealed, they have stated that party politics crept in. What was your experience?—I may state that I was a supporter of the Scott Act, and travelled a hundred miles to vote for it in the county where I then voted. I have had no personal experience of party politics having affected the question in any way. But what I did see was that the apparent failure of advanced temperance people to assist the License Inspector and the Commissioners to enforce it, and the failure generally to co-operate with them, brought about the feeling in the minds of the general public that the Act was a failure. I will give you one case in point; it was in the town where I lived. Immediately after the Scott Act was adopted the town council was elected, the members of which, I think the majority of them, together with the Mayor, were official members in the churches and recognized temperance people. The Chief Constable was a very ardent temperance man, and he told me, previous to the Act coming into operation, that he would leave nothing undone to secure its enforcement. I think it was on the Monday following the first of May, when the Act was to take effect, he was called into the Mayor's office, and told that if he attempted to enforce the Scott Act, his head would go into the waste paper basket the next morning following the first attempt. So that during the time the Act was in force there, no action was taken by him to assist the Inspector to enforce it, and although repeated announcements were made in the public press of a change in this respect, no attempt was made on the part of the temperance people in that direction. The Inspector was a personal and political friend of mine, and he told me that he had got no assistance, and that nobody wanted to enforce the Act. The result finally was that, when the question of repeal came up, a very large vote was given in that county for the repeal of the Act.

17321a. Do you know anything as to the matter of the appointment of these Inspectors? Mr. Totten, in giving evidence, intimated to us that the Ontario Government had met the wishes of the temperance people in the different sections by appointing temperance men as Inspectors, with the view of having an honest enforcement of the law?—I have a very distinct recollection of that phase of the matter. When the conclusion was finally reached that the administration of the law should be under the control of the Ontario Government, I think I am safe in saying, and I do not think I am violating any confidence in doing so, that the Government determined that the Act should be enforced; they asked the officials who were not in favour of the Act to resign, which was tantamount to their dismissal; and they asked those who had the recommendation of Inspectors and other officials to recommend only men whose co-operation could be depended upon in the enforcement of the Act. That was done and carried out in every case.

17322a. We understand that the Government placed the Rev. Mr. Manning in charge of the whole matter, to look after the officials and see that the Act was enforced?—I know that to be a fact.

17323a. He inspected the Inspectors?—Yes.

17324a. From your knowledge of Mr. Manning, do you think he lived up to his duties and was anxious to enforce the law?—I think he was, and taking the Inspectors as a body, throughout the province, I know that the instructions to them were along that line.

17325a. Have you had any experience of a prohibitory law elsewhere than in the province of Ontario?—A short time ago I visited Iowa.

17326a. Perhaps you will give us a statement of what you saw there?—The first matter that came to my notice in connection with the operation of the prohibitory law there, was in the dining car of the railway train. I found on the back of the bill of fare a schedule of the different kinds of liquors, underneath which was printed, "Not to be sold in Iowa." I asked the conductor if that was strictly observed. No, he said, that was there as a matter of form; we could get all the liquors we wanted if we paid for them. However, we were not investigating that kind of thing there. I had an opportunity of inquiring of persons on the train in regard to the operation of prohibition in Dakota, Kansas and Iowa, intending to go through to Kansas at any rate before returning; but, instead of that, I went on to Omaha and stayed there for a while, and also visited Council Bluffs.

17327a. What places did you visit in Iowa?—Council Bluffs, Des Moines and Dubuque.

17328a. How did you find things at Council Bluffs?—At Council Bluffs the saloons were more open than anywhere in the province of Ontario, and much more to be condemned, because they were nothing but drinking establishments. In one bar-room which we entered, there was one behind the counter who I think I can say was little more than a boy; there were quite a number in the bar-room, and among them some who in this province would certainly be regarded as children, scarcely able to reach up to the counter to get their drink. I went into quite a number of these places, and found about the same state of affairs in all of them, liquor being sold openly and being drunk at the counter and paid for. I took occasion to ask some of them how it was that this sort of thing could go on—if this was not a prohibition town. They said it was a prohibition town as far as the State law was concerned, but practically it was not; that the City Marshal, or some one of the municipal officers, came around monthly and collected a fine on the first of the month, which secured them immunity from prosecution during the month. There was a large place there called a bottling establishment, in front of which and behind which there was piled up tier on tier of what seemed to be beer barrels. The whole arrangement seemed to be running in the most open manner, and no one with any friendly feelings towards temperance would see it without condemning it unhesitatingly. There was a general slovenliness about these places, and in two or three of them there were drunken people.

17329a. How large a place is Council Bluffs?—I think it has about 21,000 inhabitants. Then, I learned from the Government returns that in the county in the year previous there had been issued 250 of what are known as tax receipts, sometimes called licenses, from the Federal Government to liquor dealers, and that 180 had been issued in Council Bluffs proper.

17330a. The possession of one of these tax receipts secures the possessor immunity from surveillance by the United States officers?—Yes, the Federal officers.

17331a. These are legitimately obtained by druggists?—Yes.

17332a. Could Council Bluffs have 180 druggists?—Oh, no. The druggists' establishments were few and far between.

17333a. You also visited Des Moines. How did you find that city in regard to druggists?—There were a great many so-called druggists there.

17334a. Des Moines is an inland place?—Yes. From the hotel where I was stopping I walked into a drug store. The gentleman who was with me said he would like to get some whisky. The man in the store said he could not sell less than two ounces: he poured out two ounces and my friend paid for it. I said to the man, "Don't you want any receipt or certificate for this, as to what it is for?" "Oh, no," he said, "that is not necessary." I said, "Isn't this a prohibition town?" "Supposed to be," he said; "we are prohibited from going dry." In a glass case on the table there seemed to be

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every kind of liquor, from beer to champagne. I stayed there for some time talking to him. I asked him if that was general in the town. He said it was. We saw the same kind of thing going on in quite a number of other drug stores. I asked a man in the hotel if all the drinking was done in the drug stores. "No," he said, "if you strike one of these restaurants and ask for beer, you will probably get it." So we entered the first place we came to, around the corner, and we found a young fellow, I do not think more than eighteen, standing behind a bar. He was asked for some lager beer. He put up two glasses. I said to him, "Are you not afraid to sell to strangers?" "No, not very much afraid," he answered. "Don't the authorities bother you at all?" I asked. "Well, they do," he said; "they sometimes come and take away part of a keg of beer, but we are not long in opening up another one. That is a signal for the boys to enter: when they see the Sheriff leave, they know there is a new one on tap." I asked, "Are you punished for violating the State law?" "No," he said, "they take away the barrel and get their judgment on that; they run up the costs, and the sheriff has to pay them." He added, "We can stand it as long as they can;" and I should imagine that he could, from the business we saw him doing. We visited several restaurants of the same character.

17335a. Did you visit any clubs?—No. I saw about the court-house while the court was sitting about as scaly a looking lot of roughs and scalliwags as I ever saw anywhere. During the day I was around a good deal and talked with a good many law officers, citizens and officials at the State buildings; and the general statement was this: they did not claim that the law was inoperative, but it was a failure, for which they laid the blame sometimes to one political party and sometimes to the other.

17336a. Did you learn that a change of policy towards the law had been adopted by one of the political parties, the Republican party, recently?—The election was then going on, and the question was in a sense almost buried by the larger Federal issues; and yet one gentleman to whom I addressed my inquiries pointed out to me that both political parties were by their published platforms committed to the repeal of the prohibition law in one form or another—the Democrats to repeal outright, with legislation on the lines of local option; the Republicans to amend the law as it stood so as to allow local permission in municipalities where it was thought public opinion was not strong enough to secure its enforcement.

*By Mr. Clarke :*

17337a. But both were lessening the stringency of the measure?—Both were decidedly loosening the strings.

17338a. The Republican candidate for Governor has been successful in the elections?—Yes.

17339a. Did I understand you to say that the question of amending the prohibitory law was swallowed up in the larger and wider question?—Oh, yes, although the newspapers and people on the platform were discussing it. Besides the two regular party candidates, there was a straight prohibition candidate for maintaining the law as it now is. His vote was certainly less than the majority received by the Republican candidate; I think ten or twelve thousand votes, according to the returns.

17340a. Could any inference be drawn from that?—Oh, no. It would be unfair to draw any inference from that, of course.

*By Judge McDonald :*

17341a. It is known, of course, that the prohibition party has been putting up candidates for a long time, and not getting very large votes?—Yes.

17342a. Is it not because the temperance men have stuck to the two old parties?—Yes, that may be. This was the first time, I understood for many years, that the Republican party has weakened there on the prohibition question.

17343a. Then you visited Dubuque: will you please state what condition of things you found there?—Dubuque is past description. One might almost say that every second door is a saloon; but probably it is not so bad as that. They are very thick. A policeman told me that there were 350 in the town, which has a population of about



thirty thousand. The Dubuque directory gives the names and addresses of four breweries, six bottling establishments, ten wholesale liquor stores, thirty-five hotels and one hundred and eighty-one saloons, making 236 in all.

17344a. Are these all illegal?—All illegal. There were, according to the last returns, 288 Federal tax receipts, or license permits as they are called, issued in that city. In less than ten minutes walk, I passed forty saloons, and they were simply drinking places, not at all analogous to our saloons, which of course are limited in number in the first place, and have eating-houses attached to them. The saloons in Toronto are really restaurants, and probably each one supplies as many meals as half a dozen hotels.

17345a. Was any explanation given you to account for this state of things?—The only explanation I got there was that prohibition had been carried by a kind of wave of a moral panic, and that when it was carried people thought they had done all that was necessary, and could then sit down and do nothing. As far as temperance sentiment and temperance work was concerned, a number of parties with whom I had no personal acquaintance—in fact, I had not a letter of introduction to any one, and did not know any one there at all—alleged that temperance work in the place was dead—there was no progress. I might say just here that I went there certainly with no unfriendly feelings towards temperance, because I have been a total abstainer all my lifetime, and I of course expected, notwithstanding the reports that had been circulated, to see prohibition really in operation.

17346a. And the result, on the whole?—The result, from inquiries I made of parties belonging to different parts of the State, some of whom I met on the trains and some in Des Moines, was that of the towns of Iowa, Des Moines was about the only one where there was no open saloon, that in all the others—and this I have verified by reference to some documents since—there are open saloons under license by the local authorities.

17347a. What is the effect upon a community, with regard to the observance of all law, of such a state of things?—Very demoralizing, I should imagine.

*By Mr. Clarke :*

17348a. Would you consider the law an educator in that case?—Not at all ; rather an educator in the wrong direction. In addition to that, I am free to admit that I was innocent enough to believe that prohibition lessened the number of inmates of the jails, reformatories and penitentiaries. I found the opposite to be the fact there. The figures show just about double the percentage of inmates in the juvenile reformatories alone that were in them in 1880. The more serious offences during the last year, 1892, were certainly of a very pronounced character. The figures were very suggestive. One person there alleged that one of the causes for the failure of the law to be prohibitive during late years was the action of the Democrat Governor, Governor Boies : it was a Republican who was speaking. He said that Governor Boies had held the strings somewhat loosely in regard to the exercise of executive clemency by issuing pardons to persons who had been convicted of violating the law. I looked into the figures, and I found that the statement was made without any basis of truth whatever. The number of pardons issued in liquor cases stood about even as between the two parties ; certainly, they gave no ground for a direct charge of that kind against the Democratic party.

*By Judge McDonald :*

17349a. You also visited Omaha. That is in a high license State?—Yes.

17350a. How did you find things there?—I found things there very orderly. The bar-rooms and the hotels certainly seem to be well kept. I questioned some of the officers there in regard to the operation, not so much of high license, but of license ; and, although it is what we would call an out-of-the-way place, and was at one time a frontier city. Without any hesitation at all they told me that the law was well observed. One of them said to me, " You are a stranger here ; if you come in after hours, you can not get into any one of these places ; you can not get in on Sunday ; you can not get in on election day." I asked, " What do you people do to get a drink then ?" He said,

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"Those who are very anxious to get a drink go over to Council Bluffs, across the river." Of course, I had no opportunity of proving whether what he said was true or not.

17351a. Were you in either Omaha or Council Bluffs on Sunday?—I was not in either place on Sunday. One of them went into greater details as to the restrictions placed on the traffic. For selling to minors or to drunkards he said the penalties were very severe. I saw minors drinking in the prohibition State, and I saw drunkards in the bar-rooms in the prohibition State.

17352a. Did you see any drunkenness in Omaha?—I did not.

17353a. Did you make any investigation in Council Bluffs and in Omaha, the two places being side by side and one in a prohibition state and the other in a license State, as to how the social evil was treated?—No, I made no inquiries on that subject.

17354a. Are you yourself favourable to the enactment of a prohibitory law in Canada?—Well, I had always thought along that line until almost recently; at least, I had hoped to live to see the time when there would be prohibition.

17355a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I think if we want to have prohibition, we ought to be willing to pay for it, and make some sacrifices to bring it about—how far, it is hard to say. I hardly think the question is being placed before the public in what one might call an honest light. I think these questions should all come up in a discussion of prohibition.

17356a. A question that has been raised is, what is manufacture? Would the making of liquor by persons in their own houses for their own use be manufacture that should be prohibited? Do you know if that question has been dealt with in public discussions?—No, I have never heard that discussed.

17357a. What is your opinion of that?—I would like all forms of the evil put a stop to; but I have no faith in legislative enactment for the purpose of making people better. This has to be done in the home, in the school and in the church.

*By Mr. Clarke:*

17358a. Would you allow people living in Essex County who grow grapes to make wine out of them for their own use?—I do not know how you could prevent it.

17359a. Suppose it was not convenient for other people to make wine for themselves in this way, would you allow the farmers to sell it to them?—I do not know how you could prevent it, unless you had an army at every man's door.

*By Judge McDonald:*

17360a. In your own city, are there not large quantities of grapes sold in the autumn?—Yes, ton loads.

17361a. If the farmer has the privilege of making wine out of his own grapes, would not the people here be allowed to buy the grapes and also make wine in their own houses?—I do not see how you could prevent it.

17362a. And I suppose you know that rhubarb and currants and things of that kind are used in many households?—Oh, yes; it is very easy to make liquor.

*By Rev. Dr. McLeod:*

17363a. I think you told us that Council Bluffs was on the border of Nebraska. Where is Dubuque?—It is on the border of Illinois.

17364a. Council Bluffs and Dubuque are border towns, and Des Moines the capital and largest city in the state?—I think it is.

17365a. Des Moines is in the interior. Did you visit any other places in Iowa?—No.

17366a. You did not go into any of the country towns?—I did not.

17367a. Do you think that if you had gone into any of the country towns you would have got a different impression about prohibition?—I was told not; unless I went into a small village, I would find things just about as they were in Council Bluffs and Dubuque. So I was told by people who claimed to be temperance people in Des Moines.

17368a. Did you hear anything in the course of your investigation about terrorism by liquor people in any part of the state?—Nothing special.

17369a. I mean resistance to law enforcement in a violent form?—No, I heard nothing about that.

17370a. You did not visit Muscatine?—No.

17371a. And therefore did not hear about the dynamiting of the homes of several prominent people who had been active in the enforcement of the law?—No, I did not.

17372a. Did you make inquiry as to the condition of things in the State prior to prohibition?—No, except that I learned from the State documents that prior to prohibition the law only allowed wine and beer to be sold. Since returning from there, I have heard incidentally that the law had not been universally observed. As to that I have no personal knowledge.

17373a. I suppose you are aware that in earlier days they had a prohibitory law something similar to the one now in force?—Hardly as ironclad.

17374a. And that later there was a change made in the law permitting the sale of beer and light wines?—Yes; in 1853 the change was made.

17375a. And a few years ago there was a return to a more rigid prohibitory enactment?—Yes.

17376a. Aside from the statistical returns which you consulted—which are more or less reliable, I will not say which—did you, from any other information you gathered, find yourself able to compare the condition of things in Iowa prior to prohibition, keeping in mind the changed character of the population, with the condition of things under prohibition?—I looked into the figures, comparing 1880 with 1890, and the figures certainly were not such as would give one confidence in the operation of the prohibitory law on the lines of decreasing crime or lessening the numbers of inmates in prisons or the cost of the administration of justice.

17377a. Did you interview citizens of various shades of belief on this question?—Oh, yes, a great many people.

17378a. Did you get from any, statements to the effect that, all things considered, taking the State as a whole, prohibition was effective and was doing some good?—No; I rather got the other view, that it was a failure.

17379a. From those who were favourable to prohibition?—From those who were favourable to prohibition. I met one who was very strongly in favour of having the law carried on upon the present lines; that was because he had objections to any license moneys, which he called blood money, being used by any of the municipalities.

17380a. How long were you in the State?—A few days.

17381a. A week?—Just about that.

17382a. From the time you entered to the time you left, including Sunday?—No, I was not there on Sunday.

17383a. So you were not there a week?—Not quite a week.

17384a. And in that time you investigated three towns, one on the Illinois border, one on the Nebraska border, and one in the interior?—Yes.

17385a. You did not go south or visit any of the smaller towns?—No. The reports I got of them are borne out by the Federal returns in regard to the issue of tax receipts or permits.

17386a. Of course, the Federal Government tax receipts are issued to any person who pays the fees, and they grant immunity from federal interference?—Yes, and they are acknowledged by the temperance people as giving authority to sell.

17387a. They are regarded as *prima facie* evidence of intention to sell, at any rate?—They are regarded as more than evidence of intention.

17388a. Did you make a comparison of the number of tax receipts issued in Iowa according to population, with the number issued in Nebraska or Minnesota?—I did. The tax receipts issued in Iowa run in the ratio of about one to every 455 of the population, and in Nebraska one to every 770 of the population. Nebraska is under high license.

17389a. Would you attribute the difference in any degree to the fact that in Nebraska there is a monopoly of the liquor trade by the licenses under the law?—No; I think it is an incident of supply and demand.

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17390a. Are you inferring that where the sale is prohibited, there is therefore a greater demand for intoxicants?—I would rather infer this, that where there is a license system the municipal authorities have a better opportunity of putting down what may be termed the illicit traffic by having the assistance of those who are in the business, they of course having a very strong interest in putting a stop to illicit sales; whereas there is no such deterrent in the so-called prohibition state of Iowa.

17391a. Did you find from your inquiries that officials in license communities are more active in preventing illicit sales; or did you not examine as to that?—Not specially.

17392a. And did you discover whether the licensees really co-operate with the officials?—I think they do.

17293a. You did not make any examination as to that?—No. That was pointed out as one of the arguments in favour of license.

17394a. As between Omaha and Des Moines, in which place does the liquor trade make the better appearance?—Do you mean the greater number of drunkards or anything of that kind? I certainly saw a more disreputable looking crowd in Des Moines around the court-house, than I saw around the court-house in Omaha.

17395a. In which place are the saloons the more attractive?—They are more attractive in Omaha, certainly.

17396a. Did you ever see saloons more attractive anywhere than in Omaha?—Oh, yes.

17397a. Where?—In Chicago.

17398a. In Des Moines were they particularly attractive?—They were not, but they had customers all the same.

17399a. In Des Moines, were they more or less secretly carried on?—You would hardly call it secret. The rooms were entered from the street.

17400a. Did you interview the Chief of Police there?—I did not.

17401a. You did not go to the headquarters of the police?—I interviewed some of the police around the place.

17402a. May I ask you under whose guidance you went about?—I was not under the guidance of anybody.

1703a. You were accompanied by somebody?—By a friend from Toronto whom I met in Chicago.

17404a. May I ask whether it was from pure curiosity on your own part that you made these inquiries?—It was from curiosity on my own part, undoubtedly.

17405a. Purely?—Well, I had been led to believe that everything that prohibitionists said was gospel truth, and I went there to see matters for myself.

17406a. You went to make a careful examination?—I went to make an examination, and to state, if occasion required a statement from me, truthfully what I saw.

17407a. I suppose, intending to state, when you went?—Well, I could hardly put it like that.

17408a. Did you find what you went to find? It is said that a man finds what he goes to find?—I did not go to find drink, and I certainly found lots of it. I went candidly to see if prohibition was effective, and with no unfriendly feeling towards prohibition. I would to-morrow hold up both hands—more than that, I would be willing to pay—for the wiping out of the traffic if I thought it was possible. I would like to see it wiped out.

17409a. You do not think it possible?—Not until human appetite is somewhat re-organized.

17410a. You spoke of seeing saloons in Des Moines. How many saloons did you find?—I could not tell you how many.

17411a. Were they saloons such as you have in Toronto?—No, they were simply drinking places.

17412a. Were they fitted up like those in Toronto?—They were not.

17413a. Was there a spread of bottles on shelves, a beer pump on the counter, and all that kind of thing in regular operation?—Often there was.

17414a. What is the population of Des Moines?—I think about fifty thousand. The United States returns give 202 tax receipts as having been issued there.

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17415a. I think you said that some explained that prohibition was carried in Iowa by a moral panic. Do you understand, then, that prohibition does represent something of moral sentiment?—Undoubtedly.

17416a. And yet you find that prohibition increases crime, although it represents moral sentiment?—No, that hardly follows. Prohibition, effective, would probably reach the point we would all like to see. Prohibition, not effective, I think, retards temperance work.

17417a. That suggests the question, did you examine into the causes of the non-effectiveness of prohibition?—Not specially. The impression I got—whether it is correct or not I am not prepared to say—was that after the passing away of the panic or wave, if you choose to term it so, under which prohibition was carried, the people thought they had done their work, and the law was allowed to take its course.

17418a. Did you learn that the struggles of the two political parties have affected the matter?—Only this far, that one party has been more pronounced on the line of the prohibitory law being in advance of the times than the other.

17419a. Did you find there, as sometimes happens in our own country, that other questions, for the time being considered all-important, divided the people without respect to their prohibition sentiments, and that the contests between the parties were so close that in their anxiety to win they were both bidding, either by promises or by winking at violations of the law, for the rum vote?—I found there that the Democratic party, so it was claimed, never had been in favour of prohibition, and that the Republican Governor preceding Governor Boies, Governor Larabee, being a strong prohibitionist, had been carried in on prohibition as one of the strong planks of his party's platform.

*By Judge McDonald :*

17420a. Did you not find that until the last election the Republican party had always kept that as a prominent plank in their platform?—Yes, I had said that.

17421a. Were you there during the election?—Yes, two or three days prior to the vote.

*By Rev. Dr. McLeod :*

17422a. Did you visit Kansas?—I did not.

17423a. Did you not say something in a newspaper interview about Kansas?—No. I said I had come across in some of the newspapers a report that had been issued by a Mr. Stringer, of Tasmania, in regard to the operation of the prohibitory law in Kansas.

17424a. Mr. Stringer made an investigation in Kansas?—So the newspaper said.

17425a. By whose authority, or on whose behalf?—I cannot say on whose behalf. The report I saw in the newspaper was that he was an official reporter of the Tasmania Legislature, and that he had made a report. It was said since that he had been employed by the licensed victuallers of Tasmania or New Zealand to look into the working of that law.

17426a. His report was not favourable to the working of prohibition in Kansas?—No.

17427a. How long were you in Omaha?—A day.

17428a. Were you there over night?—No, I left on the night train.

17429a. You did not go around in the evening to see if the saloons were closed at the proper time?—No. They do not close there until midnight.

17430a. Did you notice whether the saloons complied with the regulation that requires the absence of any screens, enabling any one to look in from the street?—I observed that there were saloons without screens or blinds.

17431a. Did you observe anything that took the place of screens or blinds and that prevented the view from the street?—No.

17432a. Did you make any inquiry in Omaha as to how they manage the social evil there?—I did not. It does not bother me at all.

17433a. Did you interview citizens of Omaha on both sides of this question?—Yes. I cannot say on both sides of the question. I had conversation with quite a number about the court-house.

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17434a. And they all thought the high license system was an excellent one?—I should judge so by the last vote in Nebraska, when there was a majority of thirty thousand for it. I am not at all surprised at it from what I saw across the river.

17435a. Which class of saloons, those in Omaha or those in Des Moines, would be the more attractive to young business men just entering life?—I cannot say. I have never had any experience of that kind of thing.

17436a. Would you think that those Des Moines saloons would be the resorts of those who had contracted the habit and must have it gratified, while the Omaha saloons might attract others because of their very brilliance?—No; I think a young man properly trained at home and imbued with proper principles would not be attracted by either of them.

17437a. So you think it all rests with the home?—No.

17438a. And the attractions of the saloon do not neutralize at all the home teaching?—I would not go so far as that.

17439a. Then, are we to understand that you think it is not an advantage to provide these facilities for drinking?—I can hardly take in your meaning.

17440a. To put it in another way, does the saloon as it exists in Toronto, assist home training?—I am hardly in a position to answer the question.

17441a. Would the absence of the saloon in Toronto assist home training on this question?—I think the wiping out of the traffic would assist. I have no hesitation in saying that.

17442a. Which class of saloon would be the more attractive to your boys, if you have any—the saloon in Des Moines or the saloon in Omaha?—I should be afraid of either of them. I have heard arguments on both sides. I could not say.

17443a. Did I understand you to say that you had yourself always been an advocate of, and had been actively identified with, the prohibition movement in Ontario?—No; I did not say that. I said I had actively assisted in carrying the Scott Act in the county where I was then living.

17444a. Not an active advocate of prohibition?—In that regard, my mind has changed on the subject within the last two years.

17445a. Nor have you been actively engaged in the plebiscite movement?—No. I was not drawn into the controversy of my own motion. I have no interest in the vote whatever.

17446a. I thought that in going to Iowa you might be interested in helping on the vote here?—I have no interest in the vote whatever. Before I went there my mind had weakened somewhat in regard to the efficiency of prohibition enactments.

17447a. Do I understand that you had no interest in either side of this question?—No. I had no particular interest.

17448a. Who is the gentleman who accompanied you?—It is a matter of no interest to this Commission. I picked him up in Chicago. Not that he wished to come, but I pressed him to come for company.

17449a. You do not care to answer that?—No.

17450a. Was it an understanding or a simple accident that you went together?—It was more of an accident that we went together.

17451a. It was not wholly an accident?—It was almost an accident that we went together.

*By Mr. Clarke :*

17452a. Do you know to what purposes the fines that are collected from the illicit liquor sellers in Iowa are put?—No; I do not.

17453a. You do not know whether they are used to aid in the maintenance of the police department or the schools?—I do not.

17454a. You have had no opportunity of looking into the operation of the prohibitory law in Iowa and making a comparison of the condition of things in cities there under that system with the condition of things in the city of Toronto under license. Which in your judgment is the more likely to promote morality or temperance?—The license system in Toronto by all odds.

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17455a. Did you in obtaining information seek out people who were addicted to the use of liquor?—No. I do not know that I had conversation with any one who was addicted to the use of liquor.

17456a. We have had gentlemen lecturing in this province who have charged that if any evidence against prohibition is obtained, it must be obtained from persons addicted to the use of liquor. Is that your experience?—I do not think that is the exact expression that was used. While your Commission was on its way west—I think you were then in the neighbourhood of London—I heard the statement made in a church in Toronto that the witnesses who were appearing before the Royal Commission—which the speaker characterized in pretty strong language—were men who were invariably taken from the gutter in the towns that the Commission visited, and had a good danger signal—putting his hand to his nose—on their faces.

*By Judge McDonald :*

17457a. Who made that statement?—Mr. Wolfenberger.

17458a. Where was the statement made?—In Wesley Church, in Toronto.

17459a. How long ago was it made?—Six weeks, probably more.

17460a. Who is this Mr. Wolfenberger?—He is from Nebraska. He came to that church and spoke there under Mr. Spence's wing, I believe. I knew the statement to be false, for I had a personal acquaintance with almost every witness in Ontario who appeared before the Committee.

17461a. You say you think the Commission was at London at the time?—I think so : either London or Hamilton.

17462a. Do you know the Right Rev. Dr. Baldwin, Bishop of Huron, Mayor Essery, Rev. W. Rigby, a prominent Methodist minister, the Police Magistrate, Mr. Parke?—I know quite a number of them.

*By Mr. Clarke :*

17463a. Do you think the trustees of the church are aware of these statements having been made in the church?—Yes ; they were present when they were made, and must have heard them.

17464a. Is this man in the country yet?—Yes, I believe so. I charged him in the public press with having made the statement, and he has never denied it.

17465a. And he is promoting the plebiscite—has been brought here for that purpose?—Yes.

17466a. Would you look on the prohibitory law as it exists in any of the cities of Iowa that you visited, as an educator?—No ; rather as a demoralizer.

*By Rev. Dr. McLeod :*

17467a. How does the license law in Toronto promote temperance?—I think in point of contrast it is more in the interest of temperance than such a state of affairs as apparently exists in prohibition States.

17468a. I mean, considering it by itself on its merits, how does it promote temperance?—I won't say it does. I am looking at it by point of comparison.

17469a. You say you favour the license system of Ontario. Do you think it is promotive of temperance?—By point of contrast with such prohibition as I have seen.

17470a. Would you prefer the license system in Ontario to prohibition in Ontario?—I would prefer prohibition in Ontario if I thought it at all possible that prohibition could be enforced.

17471a. You do not incline to that belief?—I do not think the sentiment has reached that point yet.

17472a. You do not think the prohibitory law, as you observed it in Iowa, is an educator?—No, nor the Scott Act.

17473a. Is the license law an educator?—I think the gradual restriction of the traffic is, and that is being done. In Ontario, we have gone a long way towards prohibition on lines that I think are worthy of consideration. There are in Ontario 808 municipalities ; in 185 of them, or about twenty-three per cent, there is not a license issued.

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17474a. Under the local option feature of the law?—I do not know whether under local option or simply because there is no demand for them. In 93 municipalities there is only one license issued, and in 135—I am speaking now of hotel licenses—there are only two issued. So that, either without licenses or with not more than two, there are fifty-one per cent of the municipalities of this province to-day set a long way ahead of where they were twenty years ago in the direction of prohibition.

17475a. A great change of public sentiment?—A great change of public sentiment, on true temperance lines, in my opinion.

17476a. You regard it as a desirable state of things in those municipalities where there are no licenses issued?—I do, most emphatically.

17477a. You like that extent of prohibition?—I like that extent of prohibition.

17478a. Would you rather have that kind of prohibition, or general prohibition?—I prefer this kind of prohibition.

17479a. Your preference is for such a law as the Crooks Act?—The gradual restriction of the traffic.

17480a. Do you regard the license law as an educator of the coming generation in the belief that the liquor trade is a good thing in that it is the source of a large revenue, as in Omaha?—I have no particular view on that question.

17481a. Since that is the fact, would that be the educative effect?—I do not know that it would. I would like to teach my boy when he grows up to manhood to shun it.

17482a. And in so far as the law is an educator, does it teach each boy, if he lives in Omaha, that the drink traffic is not such a bad thing, because it yields such an enormous revenue to the city?—I do not think that necessarily follows. Of course, in Omaha, as you know by the law of the State, the fees for all kinds of licenses, and all fines, are given for educational purposes.

17483a. I have been asked to put this question to you: Was not Mr. Wolfenberger's remark in reference to asking brewers and distillers whether they were in favour of prohibition?—It was not.

17484a. It was not qualified in the way?—No; it was in regard to the character of the witnesses generally.

*By Judge McDonald:*

17485a. You have watched the proceedings of the Commission pretty closely: have you read of the question being asked of any brewer or distiller whether he was in favour of prohibition?—I have not.

17486a. Are you acquainted with the brewers and distillers of Ontario as a class?—I am.

17487a. Are they as a class men who lie in the gutter and carry danger signals on their faces?—They are not. The remark was not applied to them. It was about the witnesses generally, who were called before this Commission. It was very emphatic and amplified.

*By Rev. Dr. McLeod:*

17488a. Do you know whether many people have been lying in the gutter because brewers and distillers were prosecuting their business?—I have seen them in the gutter.

17489a. Do you see any relation between that and brewers and distillers?—You will have to draw your own conclusion.

*By Mr. Clarke:*

17490a. You did not visit Maine, where they have had prohibition for forty years?—No. I would like to go down there. In so far as Maine is concerned, I find by the Government returns that there are a very large number of liquor dealers in that State. In the early history of the Maine law, you find that they had very great difficulties in enforcing it; and one of the witnesses who appeared here yesterday told me about the large number of saloons he saw there very recently.

17491a. There would be no harm in your mentioning the name of the witness?—I do not know that I am justified in doing it, though it was not mentioned in confidence.



17492a. If it was not mentioned in confidence, you might tell us?—It was the Rev. Mr. Keefer. Then, looking at the number of States that have had prohibition and repealed it, we are impressed with the same thought, that there is difficulty in making prohibition effective.

17493a. Is not that difficulty accentuated by the fact that the State has no right to pass a law prohibiting importation for private use?—That would have a bearing, of course.

17494a. And that these States are surrounded by other States where liquor is permitted to be sold?—That would have a very important bearing undoubtedly.

17495a. Do you think there would have to be prohibition on the whole continent?—Prohibition on the whole continent might be effective.

*By Rev. Dr. McLeod:*

17496a. Do you favour national prohibition of the manufacture, importation and sale of intoxicating liquors for beverage purposes?—I would favour that, but I do not think it would be practicable. I do not think it would be right for this province to enforce prohibition that would not be effective in the centres of population; and that is where more damage is likely to be done than in rural municipalities. In the United States the municipal officials are elected by the people, so that if a county is opposed to prohibition, officials are elected who are also opposed to prohibition, and therefore allow the law to go by default. The claim is that in this province it would be different. The only difference would be that the whole enforcement of the Act would come either under the provincial or the Federal authorities, and that would give the opportunity for the placing of an army—and I think it would take nothing short of it—in this province and in the other provinces; and I very much mistake the temper of the people of this province if they would consider that for a moment, the opinion being that the Government have enough patronage now.

17497a. Speaking of a law enacted for the whole country and attempted to be enforced, there is the thing called the National Policy which bears heavily on some, and yet it is sought to be enforced by revenue officers and armed cruisers?—I am out of politics, and I must not express an opinion on that.

17498a. It is an illustration of the application of a law to the whole country even though it bears hardly on some parts?—We can hardly put it in the same category.

17499a. The National Policy is said to be in the interests of the whole country. As to that I am not prepared to say; but that is the claim. Some say that prohibition is in the whole country, and the local feeling should give way to the general good?—If you could get enough officials to stand around the lanes and back doors of every city, you might do something. I would prefer seeing matters as they are now.

*By Judge McDonald:*

17500a. What revenue would the Government have available for the employment of officials if they had no revenue from the liquor traffic?—None at all, I fancy.

17501a. Is there any other statement you would like to make yourself?—Nothing at all.

WILLIAM H. ELLIS, M.B., on being duly sworn, deposed as follows :—

*By Judge McDonald :*

17502a. Are you a doctor of medicine? I am M.B. I am a professor of Applied Chemistry in the School of Practical Science.

17503a. Do you hold an official position as an analyst?—I am Public Analyst.

17504a. As such, is it your duty to analyse specimens of liquor?—Yes.

17505a. Furnished by whom?—They are brought to me by the Government Inspector of the Inland Revenue Department.

17506a. In what way are they brought to you? In sealed bottles?—Yes.

17507a. Then you make your report to the Inspector here, or to Ottawa?—To Ottawa.

17508a. Is a specimen also sent to Ottawa?—Yes.

17509a. Are you ever asked to examine patent medicines?—Yes.

17510a. Are the liquors furnished by the Inland Revenue officers of different kinds, such as brandy, whisky, ale, wine?—Yes.

17511a. What has been the general result of your examination as to purity?—Generally, the only adulteration of any consequence is water; that is to say, the average is much weaker than it professes to be.

17512a. Do you find much alcohol in the patent medicines, or any of them?—The great majority of them of course contain alcohol.

17513a. To any great extent?—Yes.

17514a. Will you give us the names of some of them?—I cannot now.

17515a. Do you know Perry Davis's Pain Killer?—I do, but I have not made an analysis of it.

17516a. Do you know Jamaica ginger?—No. I am aware that many of these medicines are of the nature of tinctures: the tincture is of course a solution in alcohol. Many of them do contain alcohol in that way.

17517a. Are you yourself favourable to the enactment of a prohibitory law?—No. I hardly see my way to advocating it at present.

17518a. In case of the enactment of such a law, preventing the manufacture of alcoholic liquors in Canada, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I should think such a law would be most unjust without a proviso of that kind.

17519a. In case of the enactment of such a law, would it be a difficult matter for persons to compound substances under other names as alcoholic liquor for beverage purposes?—It would all depend on the way in which the alcohol was obtainable. Of course, if the spirit was obtainable, the compounding of beverages is a very simple matter.

*By Mr. Clarke :*

17520a. Is the adulteration of liquor by water injurious?—Not at all, unless the spirit is required for medical or tonic purposes, when of course it is injurious, because the water reduces its strength as it would any other medicine.

17521a. What I mean is as a beverage?—No, certainly not.

17522a. And that has been the main adulteration?—As far as my experience goes, that has been almost the only adulteration.

*By Rev. Dr. McLeod :*

17523a. You have not found the introduction of any substances particularly deleterious?—No.

17524a. Have you at any time found substances added for the purpose of adulteration more likely to be injurious to the human system than the spirit itself?—No. Of course the higher alcohols, which go under the name of fusel oil, are more injurious than the ethyl alcohol, of which the ordinary spirit consists, but they are never to my knowledge added purposely as an adulteration. They are there as an accidental impurity,

and, as a matter of fact, in the spirits sold in this country they are present in such small quantities that they amount to nothing. The injurious constituent of alcoholic liquors, so far as my judgment goes, is the alcohol itself that they contain, and nothing else.

17525a. And the adulterations are chiefly a weakening and a cheapening?—Exactly.

17526a. You said that you could not see your way clear to favour prohibition. From your thought of the matter, and your observation of the liquor business, have you thought that it might be necessary to legislate somewhat for the destruction of the beverage liquor trade?—There has been, ever since I was able to observe such matters, a growth of temperance sentiment in all English-speaking countries at least, and a growing sense of the evil of the abuse of intoxicating liquors. If that feeling grew to such an extent that the great mass of the people would be willing to abstain themselves, and would abstain themselves, then I think it would be possible to pass a legitimate measure of prohibition. Until such a feeling becomes stronger than it appears to me at present to be, I doubt the wisdom of such a measure.

17527a. You think, I suppose, that it would be impracticable, too?—That is my view at present, although it is a question on which I cannot speak with any confidence, for I have not given it sufficient consideration to speak dogmatically at all on it.

17528a. From whom usually do these samples come which are brought to you by the Inland Revenue Officer for analysis?—That varies according to the instructions. They are ordinarily obtained from various places where they are sold—saloons, taverns, restaurants.

17529a. I was anxious to know whether the officer got them from wholesale dealers, or went to ordinary retail dealers and took from decanters and bottles what was there? Sometimes one, sometimes another, according to the instructions given. A year or two ago we had spirits taken from saloons particularly; I think the instructions were to take from the poorer class.

17530a. The retailer would simply cheapen his goods, I suppose?—That is what the retailer does.

*By Mr. Clarke :*

17531a. The analyses you spoke of were analyses of liquors obtained from these saloons?—Many of them were.

17532a. And the adulteration was simply water?—Yes. I had, of course, frequently heard statements that deleterious substances were added; consequently, I looked for them, but do not remember a single instance of finding them.

17533a. It has been alleged that tobacco, tea, etc., have been added?—Yes.

17534a. Do you think the laws against the adulteration of liquors and food generally are sufficiently stringent at present?—Yes.

*By Rev. Dr. McLeod :*

17535a. You make analyses of food also?—Yes.

17536a. Do you find much adulteration in foods?—There is a great deal of the same kind of adulteration as in liquors; that is to say, the substitution of a cheaper article for the article professed to be sold; but injurious adulterations are, nowadays at any rate, extremely rare. The additions made are entirely inert in many cases, but they swell the bulk. They are made on exactly the same principle as water in the liquor.

*By Judge McDonald :*

17537a. Have you ever made an analysis of what may be called rhubarb or currant wine that housewives make with fruit and sugar?—Yes.

17538a. How have you found them?—There are a great number of these. Some of them are not fermented at all. Even these usually contain a small quantity of alcohol, except when they are just freshly made. But more commonly that class undergo acetic fermentation instead of alcoholic, and they become sour rather than alcoholic.

17539a. How are they when the sugar is added?—Left to themselves that is their tendency; but when they are made with the addition of yeast, and made with care,

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they frequently contain a considerable quantity of alcohol; that is to say, as much as beer.

17540a. It would be fermentation, but not distillation?—Yes.

17541a. A natural process of fermentation?—Yes.

17542a. Is there any other statement you would like to make yourself?—No.

EDWARD CHAPMAN, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

17543a. What is your professional position?—I am Professor of Mineralogy and Geology, which includes assaying, in the University of Toronto.

17544a. Have you ever had anything to do with the analysis of liquor?—No, and I hardly know why I should have been called, although I am ready to answer any questions that may be put to me or to express my opinion.

17545a. Have you had any experience of prohibitory laws?—Only this experience. that I have been in Maine on several occasions. I have been in the North-west Territories, and I have been in some of our counties where the Scott Act prevailed, for instance, Victoria and Peterborough. That is the only experience I have had—two or three days at a time; but I have thought more or less on the subject, because some few years ago a society was organized by Professor Goldwin Smith to protest against prohibition, which was then being pressed upon the public, and I was asked to belong to this society, which I did most willingly, because I was altogether opposed to prohibition. I am not a young man, and have had a good deal of experience of life in various phases, and I am perfectly sure that if prohibition could be obtained it could not be enforced, and I think it would do a great deal of harm to the country both morally and materially. Morally, it would cause hypocrisy and perjury to be rife throughout the land; and materially, it would affect various manufactures and the agricultural interests to a considerable extent.

*By Mr. Clarke:*

17546a. The society you refer to was the Liberal Temperance Union?—Yes. My chief reason for joining it was that I was altogether opposed to prohibition, feeling, in spite of what we have heard to-day from Mr. Dewart, that to prevent rational men from purchasing a bottle of claret or a glass of beer, would be a most tyrannical act—in fact, an outrage on common sense—that I was quite sure could not be enforced for any length of time. Then again, I do not think as Canadians we should consider ourselves so very superior in wisdom to the great countries of Europe—for example—to Great Britain or France or Germany, all centres of civilization, which have got along and are getting along very well without prohibition. And there is another aspect of the question which I think has not been brought up at all, that is the question of immigration. I think we must all see clearly that Canada requires as many hard-working immigrants as she can possibly obtain. Although I have been forty years in Canada, I have crossed the Atlantic almost every summer, and have spent my time in England, Scotland, Germany and France, and I am convinced, from what I have seen in those countries, that if this prohibition became a law here, immigration to Canada would be very materially checked, if not stopped entirely. In Germany, after I had explained the Scott Act to a professor there, he exclaimed, “Are they all idiots?” He could not understand the possibility of such a thing. Of course, anything that I can do to promote temperance I will do, but I do not see that prohibition is going to do that.

*By Judge McDonald:*

17547a. In case of the enactment of such a law, prohibiting the manufacture in Canada, would you deem it right that brewers and distillers should be remunerated for

plant and machinery rendered useless?—Most undoubtedly I would. I think it would be a most cruel hardship to allow the business to be carried on, and all at once—unless you gave them ten or twelve years time—to deprive them of their means of livelihood, and not only them, but hundreds of workmen who are directly or indirectly concerned in this trade or traffic.

17548a. What has been your experience of the state of things in Germany as to temperance and sobriety?—There is more sobriety, perhaps, in France. I was there a few years ago sick and on crutches, and, knowing the Mayor of the place, I used every day to visit the court-house; and during the twenty or thirty days that I attended it, I saw only one man brought up for drunkenness. I frequently go to the mining camps in Canada. I visited one three or four days ago in the district north of Marmora, going under ground and above ground, and I have never seen any drunkenness among the men employed in them.

17549a. What is the condition of Germany as to sobriety?—Sobriety is possibly greater in Germany, because liquor there is more expensive. But in the seaport towns there is a great deal of drunkenness, which is always the case among sailors. When he comes on shore, Jack must have his spree. But as a rule, there is more sobriety in Germany than here. The cheapness of liquor here is a temptation.

17550a. Were you in the North-west when the prohibitory law was in force there?—I was.

17551a. How did you find things there?—I found that liquor of any kind could be procured. I was at Medicine Hat, a stronghold of the Police. I wanted to see one of the mines opened on the other side of the river. The mining engineer asked me to go and have lunch with him; I did so, and a whisky bottle was produced on the table. I was in Massachusetts several years ago when a prohibitory law was in force there, and I found that there was no trouble in getting liquor. On one occasion I came to a little village, where I asked if I could get a glass of beer. A man told me that I could and directed me up two pairs of stairs, where I found a room fitted up like a regular bar, and he produced a bottle of whisky. I said I did not want that; I wanted a glass of beer. He then told me that he did not keep beer, as it was too bulky. In Boston I found that there was always liquor to be got at the hotels.

REV. B. B. KEEFER, requested permission to make the following statement:

In regard to the statement made by Mr. Preston, it is only fair to myself to state that I made the statement to him in contesting the conclusion that he drew from his observation of the working of the prohibitory law in Iowa. He found evidence there which to him was conclusive for rejecting prohibition. My observation was that I had been through the State of Maine for a month, and had made a study of the question, and that while I was compelled to acknowledge with him that there was very general violation of the law, yet that I could not reach his conclusion, but that the study of the question in Maine had only confirmed my opinion in favour of prohibition.

*By Mr. Clarke:*

17552a. Did you say, notwithstanding that you had seen a very general violation of the law?—I did. I made that statement. And I might say, in regard to the State of Maine, that, in all my investigations of the question, I never found any man who was not directly connected with the liquor traffic that advocated the repeal of the Maine law.

17553a. From whom did you inquire?—Newspaper men, clergymen, leading laymen in one profession or another; for I was making a study of the question.

EDWARD CHAPMAN.

JAMES DOBSON, J. P., on being duly sworn, deposed as follows :

*By Judge McDonald :*

17554a. Do you reside in Toronto?—At present. I live at the northern end, formerly called Yorkville. A few years ago it was made part of the city.

17555a. How long have you lived in this neighbourhood?—Fifty-eight years.

17556a. You have seen very great changes in that time ; have you noticed a marked growth of temperance sentiment and temperance habit among the people?—I have.

17557a. Have you had any experience of the working of a prohibitory law?—I have, of the Dunkin Act, in the County of York.

17558a. What was the result of that Act being in force? was it beneficial to the community?—It was. At the commencement we had some trouble in consequence of objection to the forms of service, and so on, and we had to get new forms out ; and they were appealing to the judges, and there was a great deal of trouble the first year. I sat in the cases for East and West York. At the time the repeal came, I stated fearlessly that in three months more there would not have been a place for the sale.

17559a. It had become so completely suppressed that you think that if the Act had remained in force three months longer, you would have got away with it altogether?—Yes.

17560a. So that the results, in your opinion, were highly beneficial?—Yes.

17561a. How do you account for the repeal of the Act under such circumstances?—There was a good deal to contend with. We were living near the city ; a great many were not satisfied with the Act ; we required amendments, and we found a great deal of difficulty to get amendments to the Dunkin Act as well as to the Scott Act.

17562a. I thought you said that you had some difficulties at first, but that you had got rid of them all?—We got rid of them, but I say that in carrying out the law as it stood at that time, we accomplished a great deal in getting almost every tavern closed.

17563a. Then, why did the people repeal a law that produced the effect that was wished, of closing the taverns?—That is more than I could answer.

17564a. Have you made any attempt since to carry that Act or the Scott Act in the County of York?—Not in the County of York.

17565a. Would you yourself favour the enactment of a prohibitory law prohibiting the importation, manufacture and sale of all intoxicating liquors for beverage purposes?—Yes.

17566a. You are opposed to the traffic in principle?—Yes, I have been for fifty-eight years. After the rebellion I became a total abstainer from principle, and took an active part, as reeve of the village and as magistrate afterwards, in the temperance movement.

17567a. In case such a law were passed, would you make it so stringent as to prevent farmers making wine from their own grapes or cider from their own apples for their own use?—No, I think not.

17568a. It is the traffic you propose to deal with?—Yes. I heard something this morning about using sugar to cause fermentation. That is not the cause. For instance, we make wine for sacramental purposes, and it is only the juice of the grape and sugar.

17569a. How long do you keep that wine in good order?—As long as you please.

17570a. But you have to seal it up?—Yes.

17571a. If the air gets access to it, it becomes fermented after a time?—It becomes sour, that is all.

17572a. Then, the prohibitory legislation that you aim at is such as would put a stop to what we call the traffic in intoxicating drink?—Yes.

17573a. Would you make an exception of liquor needed for medicinal, mechanical and sacramental purposes?—Yes.

17574a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I view that in this light. They are a class of men, as a general rule, who have

become independent at the expense of the poor; and then to come and levy a tax to recompense them still further I think would be pretty hard.

17575a. What provision would you make as to the disposal of the stores of liquor that they have on hand?—I think the Government ought to take it off their hands.

17576a. In case of the enactment of such a law as you wish, would you have the liquor needed for medicinal, mechanical and sacramental purposes manufactured by private individuals or by the Government?—If the Government would take their stocks off their hands, I think it would have enough for those purposes for the next generation.

17577a. In case other liquors were needed, would you have them made by the Government or by private individuals?—I would not let it be in any hands but the Government's.

17578a. Speaking as a citizen of Toronto, how do you find the license law carried out?—As far as I can understand it is carried out as well in Toronto as I might say in any other part of the world.

17579a. You are one of Her Majesty's Justices of the Peace in the County of York?—Yes.

17580a. As such have you had to deal with many liquor cases?—I had—until we were connected with the city—a great many cases to attend to.

17581a. Did you find, in the days when you were acting as a magistrate, that there were many breaches of the license law by sale in prohibited hours and to prohibited persons?—There were a great many.

17582a. Was there much illicit sale by unlicensed people?—Not in the country so much as in the city. I think they were very careful in the country. I suppose the tavern-keepers took an interest in giving information respecting them.

17583a. In order to protect themselves under their license?—Yes.

17584a. Did you find, in the liquor cases that you tried as a magistrate, that there was difficulty in getting satisfactory testimony from witnesses?—Yes, I found a good deal of that. I remember, in giving judgment in one case, that I remarked that I wondered that men who came before me could in the light of eternity act as they had done in that case, in deliberately swearing that they had not sold any in three months.

17585a. Did you find, in trying cases for non-payment of wages, trespass, assault and such matters, that there was not the same difficulty in getting evidence that there was in liquor cases?—There was not. The only way I could accomplish much was to bring up the wives and daughters of the tavern-keepers, and put them in the box. They usually surrendered when the wives came into the box.

*By Mr. Clarke :*

17686a. Do you remember by what majority the Dunkin Act was carried in the County of York?—One or two hundred, I forget which.

17587a. Do you recollect by what majority it was repealed?—I think it was larger.

17588a. Has any attempt been made since then to introduce the Scott Act in the County of York?—It was proposed; but it was thought that for people living so near the city it was no use.

17589a. Was there a feeling among the store-keepers in the towns and villages of the county that the fact that liquor could be got in the city would induce farmers and others to come into the city to transact business to their detriment?—I do not think that was the case. In the northern part of the county there was more difficulty, around Newmarket. The License Inspector was not in favour of prohibition, and he winked at the violations of the law.

17590a. You think the attitude of the officials has something to do with the matter?—Oh, yes.

17591a. And public sentiment in backing up the officials?—Oh, yes.

17591½a. You were in the rebellion?—I was; and I recollect the battle of Waterloo just as if it was yesterday.

17592a. What is your age?—Only eighty-four. Just after the rebellion four of us signed the pledge. I signed to save two others who were in the habit of drinking. Two or three years afterwards I followed the bodies of those two young men to

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drunkards' graves. I took a deep interest in founding Yorkville; I was the father of it, laid it out, and to-day the police find that they have little to do in that part of the city; there is no part of the city more orderly. I think the active part I took in laying the foundation of the place at that time has had its effect.

*By Rev. Dr. McLeod:*

17593a. Can you tell us what you have observed, during the many years of your life, of the drink traffic on the various interests and the home life of the people?—I have seen a great deal of it. Many a drunkard I have followed to the grave. Few families that I am acquainted with but have had their sorrows and troubles directly or indirectly traceable to it.

17594a. Have you noticed the effect of the drink habit on business men through all these years?—Do you know cases of men having become incapacitated for business and having become insolvent because of their drinking habit? Oh, many. Just next door to where I lived there was a hotel; it was a good establishment, where you could get a meal. Many of the young people of the neighbourhood—boys of eight, ten or twelve years of age—used to get in there by a side door; and I know scarcely one of the old settlers who had not some sons ruined. I had one son who was entrapped in, and many a night I have sat up until two o'clock in the morning for him. But, thank goodness, he was reformed immediately after that, and went to the North-west, and is doing well.

17595a. There has been put into my hands an extract from the proceedings of a Select Committee of the Legislature of Canada in 1859, before which Committee a man named Roland Burr gave evidence. Do you remember him?—Yes, I knew him well.

17596a. Would he be likely to give very accurate evidence?—Yes.

17597a. This is the statement: "Roland Burr appeared before the Select Committee on prohibition in 1859, and said: I have the record now before me, kept by myself, of the liquor dealers of Yonge Street for fifty-four years past, one hundred in number, and I will mention the abstract of the record, namely: number of drunkards in the hundred families, 214; loss of property once owned in real estate, £58,700; number of widows left, 46; number of orphans, 235; sudden deaths, 44; suicides publicly known, 13; premature death, by drunkenness, 203; murders, 4; executions, 3; number of years of human life lost by drunkenness, 1,915. He adds: 'I have been acquainted with these hundred families, and I have kept written records of them for the purpose of printing them, leaving out the names.'" Would you from your knowledge suppose that a statement like that made by Mr. Burr would be accurate?—I have heard that; in fact, I had it from his own lips. I was intimately acquainted with him.

*By Mr. Clarke:*

17598a. You could not give us any data from which we could ascertain the correctness of that statement?—No.

*By Rev. Dr. McLeod:*

17599a. You never kept a record like that yourself?—No.

17600a. From your observation you are led to believe that such effects do follow the drink habit and drink traffic?—As far as I know, they do. A great many that I knew and that had farms and were independent, went into this business, and the farms are gone and the children scattered and many of them dead. The children turned to drink.

17601a. Have you, in your more than four score years, ever noticed any other one thing that has produced the same kind of effects in the same degree as the drink habit and drink traffic?—No. What puzzles me most, and always has puzzled me, is that ministers of the Gospel and the public generally, and particularly the Christian public, members of churches, cannot see the matter in a proper light. I have been surprised to think that they can see around them every day men and families going to destruction, and yet do nothing.



17602a. And yet you believe that the public generally are coming more to see it as you regard it?—I do. I believe they are coming to see it more clearly. I think the day is not far distant. The only trouble we have is our politics.

17603. What effect has politics upon it?—Well, we are divided, and it is a rare matter to get a man, even on temperance questions, to forsake his party. He will go and support a man who is in the habit of drinking in preference to a temperance man, because he belongs to his party. I do not mean on one side more than another.

17604a. You think their party feelings are stronger than their temperance feelings?—In many instances.

*By Mr. Clarke :*

17605a. Have you adopted that rule yourself? do you invariably vote for your own party?—I came to the conclusion some years ago that I would support the total abstainer even though he did not belong to my own party.

*By Judge McDonald :*

17606a. You have acted upon that?—Yes.

17607a. So that in your latter years you have been supporting total abstainers in politics?—I prefer that.

17608a. That is what you have been doing?—Yes, where I had the opportunity.

17609a. Did you try to induce others to do so?—Decidedly.

17610a. Will you name some of the elections and the candidates when this was done?—I do not know that we have had anything of that lately.

17611a. I understood that you yourself had voted in elections against your own party candidate and in favour of the candidate who was the prohibitionist, though he differed with you in politics?—Since the decision which was come to by the Alliance and the different societies, we had not a chance.

17912a. You told us that you yourself made it a rule to do so. Will you tell us the name of the temperance candidate who differed from you in politics, and for whom you voted on temperance principles? when did you do that?—I did it last year.

17613a. You voted against your own man?—No, I supported both. I supported the Mayor, and I supported an alderman who was opposed to me in politics.

17614a. Did the Mayor differ from you in politics?—No.

17615a. Will you tell us the case in which you voted against your own candidate and in favour of the man you were politically opposed to because he was a prohibitionist?—I could not mention any instance, because it was in the last two or three years that the society decided.

17616a. You told us that you came to the decision several years ago to support the prohibitionist even though he was opposed to you in politics. Have you ever acted upon the decision?—I have never acted on it because I had not a chance.

17617a. How long ago was the Dunkin Act repealed?—Ten or twelve years ago.

17618a. And it is only at this late date that you have come to the conclusion to support a prohibitionist even though he differs from you in politics?—I would support a temperance man, provided he was a suitable person, against a man in the habit of drinking.

17619a. What do you call a suitable person?—A temperance man is not always suitable.

17620a. So that, after all, other things do enter in; he must be suitable in other respects?—Oh, decidedly.

17621a. Is it not a fact that with a great many prohibitionists, suitability means belonging to their party in politics?—No; we have pledged ourselves as a society.

17621½a. I do not care about the society; you are a temperance man, and you have been blaming temperance men because they allowed their politics to interfere with their temperance principles in practice. What has been your practice? Do you stick to your party?—Of late years I have not voted at all.

17622a. When you did vote, did you vote with your party?—I did.

JAMES DOBSON.

17623a. This is a very interesting statement of Mr. Burr's that has been presented to us, and I am going to ask you a few questions about it. "Loss of property once owned in real estate, £58,700." What became of that property?—It was lost, I should say, to the tavern-keepers' families.

17624a. As a general rule, the question that is asked here is, if the money is not lost to the man who drinks. You think that the man who drinks loses money?—Yes.

17625a. Who gets that money?—It goes to the tavern-keeper.

17626a. Then, according to this statement, to whom does the tavern-keeper lose it?—It goes to his children.

17627a. Is it lost if it goes to his children?—It is a very rare thing that a tavern-keeper's children ever amount to anything.

17628a. I am not asking you what becomes of the children. You say that the property lost in real estate amounts to £58,700; if the tavern-keepers lost it, who got it?—The children were reckless and turned to drink. I know a number of farms between here and Richmond Hill that were owned by tavern-keepers.

17629a. Will you mention one tavern-keeper who owned a farm?—I cannot recollect just now.

17630a. What became of the property? I suppose somebody must have got it?—I suppose strangers got it.

17631a. So you think that tavern-keepers getting money by the sale of liquor is not to be looked on with favour?—No. I count it blood money.

17632a. Then, do you think it was a good thing that property acquired in that way should pass into other hands?—If the children were brought up as they should be, it should go to the children.

17633a. You would have the children inherit that money?—I would be very glad to see it if there would be a reformation in the family, and they took care of it.

17634a. Has it gone back to the hands of the children of the people who bought the drink?—No.

17635a. Who did get it?—Whoever could purchase the property to the best advantage.

17636a. So that the property has not been lost?—No; it is lost to the family.

17637a. Then this statement speaks of "forty-six widows left." Does this mean that their husbands would have lived for ever if they had not been tavern-keepers?—The majority died before their time.

17638a. Then it speaks of 235 orphans left. Would not the fathers die before the children in the course of nature?—If the tavern-keeper is a drunkard, his children are neglected.

17639a. The evidence we have got elsewhere is that the man who drinks neglects his children?—He does also.

17640a. These 235 orphans would likely have been left orphans even if their fathers had not been tavern-keepers?—They would at some future time.

17641a. Then, we have four murders committed by tavern-keepers. Now, with your keen and vivid recollection of these tavern-keepers, do you remember any of these murders?—I cannot remember any of them.

17642a. Do you remember three of them being executed?—No.

17643a. I find here a statement by Mr. Burr that in these families there were 1,915 years of human life lost by drunkenness. Do you know how Mr. Burr made up these figures to know just how long these tavern-keepers would have lived, and how long their wives and children would have lived, if they had not been tavern-keepers?—No, I do not.

17644a. I ask you as a reasonable man, is there any weight whatever to be attached to such figures?—I believe there is a great deal.

17645a. Will you tell me in what way?—I mean that Mr. Burr took a deep interest in the matter, and would not put in that paper—

17646a. I have no doubt he was honest; but how could he say that 1,915 years of human life were lost? How could he know?—No doubt it is an exaggeration. He might have gone to the life insurance companies and got the estimates.

17647a. And you think that for the future yourself and the gentlemen for whom you have spoken intend to vote for temperance men, even against your own political friends?—I believe so. I believe it is coming to that.

17648a. That is what you have agreed to do among yourselves, but you have not had an opportunity of carrying it out?—No.

17649a. And yet you think the suitability of the candidate in other respects ought to be taken into account?—Yes, I think it ought to be.

*By Rev. Dr. McLeod :*

17650a. You have spoken of the Alliance. Is it the plan of the Dominion Alliance to vote for prohibition irrespective of party connections and ties?—I think that is the understanding, unless it is something of vital importance.

17651a. When the prohibition question is the question at issue, then they are to vote for prohibition and prohibition candidates irrespective of their party allegiance?—That, I think, is the decision come to.

17652a. I presume that a great many men have done that for many years on principle?—For some years they have.

17653a. Did you ever vote against prohibition because of your party loyalty?—No.

*By Judge McDonald :*

17654a. Did you ever vote on a prohibitory law at all, except the Dunkin Act?—That was the only one we had in the county.

17655a. Was there any politics in it when it was carried?—No, I think not.

*By Rev. Dr. McLeod :*

17656a. Concerning this statement of Mr. Roland Burr, from your knowledge of him would you regard a statement made by him as accurate and trustworthy?—I think so. I always had confidence in the man's honesty and integrity.

*By Judge McDonald :*

17657a. You have no personal knowledge of these statements, I suppose?—No, only from observation.

17658a. You think Mr. Burr was such an honourable man that you trust his statement?—Yes, in connection with what I know myself.

17659a. But you do not know the people—you could not name them?—No. I am more deficient in remembering names than anything else.

*By Rev. Dr. McLeod :*

17660a. I understand that, not only from your knowledge of Mr. Burr, but from your own knowledge of the traffic and its effects, you have no hesitation in believing a statement of that kind?—Not the least. You might think, on the face of it, that it was exaggerated, but I have no reason to doubt it.

*By Judge McDonald :*

17661a. Suppose that, instead of 1,915 years of human life, he had made it twice that number, would you have doubted it?—I think possibly he may have taken a higher standard than I would.

17662a. If he had made the number of years just half what he has, would you still think it was true?—Possibly I would, because I had confidence in him, and from my own observation too.

JAMES DOBSON.

H. J. HOLLENRICK, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

17663a. Where do you live?—In Toronto.

17664a. What is your business or occupation?—A merchant.

17665a. What business are you in?—Dry goods.

17666a. How long have you lived in Toronto?—About two years.

17667a. Where did you live before that?—At Milton, in the County of Halton.

17668a. Did you live there while the Scott Act was in force?—I did.

17669a. What was your experience of the working of the Scott Act?—Well, that is rather a large question.

17670a. Did you find that it was effectively carried out?—It was not.

17671a. Why not? What was the trouble?—I think the basis of the whole matter was that it could not be properly enforced. It was endeavoured to be enforced by temperance people, but the power at the back of it did not seem to work properly.

17672a. The Government officials, the policemen, or who?—The fact of the matter is the enforcement of the Act seemed to a great extent to be left with the temperance people.

17673a. Then, the officials did not attend to the enforcement of it. Is that what you mean?—Some of them did not.

17674a. Where were its effects most beneficial, in the towns or the rural districts?—I suppose in the rural districts.

17675a. Did you know a Police Magistrate in Halton named Mr. Young?—Yes.

17676a. Was he active in trying to carry out the Act?—He was.

17677a. Were the License Inspectors favourable to the Act?—I know one who was, and one who was not.

17678a. Do you think it was owing to the working of the Act not being satisfactory that it came to be repealed?—Well, there was a variety of causes.

17679a. Will you state what they were?—I know one thing—politics seemed to enter into the matter.

17680a. In what way?—In a roundabout way.

17681a. How?—Well, in regard to bringing out the Parliamentary candidates, for instance.

17682a. How could that operate for repeal? If the Act was working well and producing good results, would not the Parliamentary candidate in favour of such a law be the successful man?—I do not think that would follow.

17683a. Did it follow in Halton?—I know this, that in one of the elections for the Dominion House, one of the candidates was asked to sign, or at least to make a promise to support prohibition if it came up in the House of Commons. The same request was made of the other candidate. One agreed and the other refused to promise. The one who agreed to support prohibition, if it came up, was defeated. The other man was to all intents and purposes as good a temperance man, but he secured votes that would have gone to the other man if he had not made that promise.

*By Mr. Clarke :*

17684a. Did the temperance people, who were identified with the political party to which the gentleman who refused to sign the paper belonged, desert him because he refused to sign?—Not to my knowledge. I think there were one or two men who did.

17685a. And the rest?—The body of them, it did not affect the way they voted.

17686a. That is, they went to this man and asked him to sign a pledge which he refused to sign, and notwithstanding that they voted for him?—Yes.

*By Rev. Dr. McLeod :*

17687a. Are we to understand that the man who did not give the pledge was a thoroughly good temperance man that they could trust, and they stood by him?—Yes. I believe both were really good temperance men. As far as I know, they were total abstainers even, men with whom any question of temperance could be safely left.

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*By Judge McDonald :*

17688a. In that case, how did politics enter in to affect the Scott Act?—That seemed to affect any temperance matter after that election. The man who was defeated was defeated solely, I believe, because he had promised to support prohibition. Some of his friends, who were against prohibition, left him on that account.

17689a. Then they voted for the opposite candidate, the anti-prohibitionists' candidate, who had made no pledges?—If they did not vote for him, they did not vote at all.

17690a. How did that bring about the repeal of the Scott Act? When it came to be voted on, how were these people influenced?—Well, I have not got the dates.

17691a. We have been told this morning that in the spring of 1888 there was a by-election for the County of Halton, at which a candidate who was stated to be a prohibitionist was elected by a majority of 140, and that within a few weeks afterwards the Scott Act was repealed by a majority of 200 in round figures. His name is Mr. Henderson.

*By Mr. Clarke :*

17692a. Was Mr. Henderson the man who gave the pledge and was defeated?—He was. Mr. Henderson was the Conservative candidate. And the fact of his signing a pledge to support prohibition was the cause of his defeat to a great extent.

*By Judge McDonald :*

17693a. Then he must have been elected at the by-election, because he was elected by 140 majority, and the Scott Act was repealed within three months after he was elected. You do not remember those dates?—No.

17694a. How do you account for the repeal of the Scott Act when it was voted on? Do you think the people were dissatisfied with the way it was carried out?—Towards the latter part.

17695a. Was it owing to the non-enforcement?—To a great extent.

17696a. In what way did the non-enforcement show itself? Was liquor sold in the county?—I think the principal drawback was that the enforcement of the Act seemed to be left with the promoters or supporters of the Act.

17697a. I understand that; but how did the non-enforcement show itself? Was drink sold in the county?—There was drink sold all the time during the Scott Act period, so far as that is concerned.

17698a. When we speak of non-enforcement of the Act, we mean that it was not prohibitory, as it was intended to be; and I ask whether the non-enforcement was that liquor was sold in the community?—I think towards the latter part it was more lax.

17699a. Was drunkenness seen in the community? Take your own town of Milton?—To my knowledge, there was more drunkenness before and after the Scott Act than during the Scott Act.

17700a. Did you find that the Scott Act promoted the material prosperity of the county?—The county, as far as my knowledge goes, was in a prosperous state during the time the Scott Act was in force.

17701a. Was it prosperous before?—It was.

17702a. Was it prosperous after?—It has been, I think.

17703a. Did you see any difference in the prosperity of the people during the time of the Scott Act?—I know that business was never better, in the business I was engaged in in Milton, than during the time it was in force.

17704a. Was it worse after the Act was repealed?—No, I do not think it was. As I say, the business that I was engaged in went to its highest point during the time the Act was in force.

17705. Was it at the time of the introduction of the National Policy when there was a general rise?—No, the Scott Act was long after that.

17706a. The Scott Act came in in Halton in 1882 and was repealed in 1883?—That would be a number of years after the National Policy.

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17707a. Was the prosperity increased by the Scott Act, or was it the natural outcome of the business state of things in the country?—I would not like to state.

17708a. Can you state from your own knowledge whether, during the time the Scott Act was in force, Milton was any more prosperous than similar towns in Peel near by in which the Scott Act was not in force?—I would not like to say that it was. I made the statement about the business I was concerned in.

17709a. And you cannot say that its prosperity was interfered with by the Scott Act being repealed?—I made the statement that it went up to its highest point then. It has not been as high since.

17710a. Was it influenced in any way by the repeal of the Scott Act?—I would not like to state that.

17711a. Was it the dry goods business?—Yes.

17712a. Do you know whether merchants in small places in the country complained that when the Scott Act was in force farmers and others went to do their business at places where a license law was in force?—I think the statement I have just made is an answer to that.

17713a. Were the farmers able to get drink in Milton if they wished it?—I believe so.

17714a. So that it would be very much like a licensed town to them in that respect?—No, it would not.

17715a. Why not?—I do not think every man could get it.

17716a. It would have to be a man the salesman could trust?—I think so.

17717a. Do you know Mr. Bradley, the Chief Constable of Milton?—I do.

17718a. He spoke to us of the state of law and order and as to the extent of drunkenness in Milton. Would he be likely to know?—He should.

17719a. And Mr. Young ought to know as to Oakville, I suppose?—Yes.

17720a. Speaking from your own knowledge of the country, do you believe that a man who lived, or came into it and wanted to get liquor could get it while the Scott Act was in force if he was what was considered a safe man?—Yes, I believe a man could.

17721a. And you think the repeal of the Act was really owing to a sort of laxity in the enforcement of it for a certain time before it was repealed?—Yes.

17722a. That it was being left to the temperance people?—Yes, and they were, as naturally any people would be, sick of enforcing a law that should be enforced by a higher power.

17723a. Is it fair that a law should be left in that way to private individuals to have enforced?—Decidedly no.

17724a. Were you a supporter of the law?—I supported the law.

17725a. You were favourable to its continuance?—I was.

17726a. And favourable to its enforcement?—I was.

17727a. Did you and others that felt that way make representations to the Government about the officials not doing their duty?—I would not like to be positive whether complaint was made to the Government about one official in particular. In fact, I am sure there was.

17728a. We are told that the Ontario Government did anything they could to meet the views of the temperance people—that where Inspectors were supposed not to be favourable to the law they were asked to resign, and Inspectors appointed who were favourable and who were acceptable to the temperance people, and that a pronounced prohibitionist, Mr. Manning, was appointed Inspector of Inspectors, and that everything that was asked by the prohibitionists was done to have the law thoroughly and successfully carried out. Now, did you and your friends in the temperance cause take steps in that line?—I believe that a number of those who were favourable to the Act made such representations.

17729a. With what result? Was a new Inspector appointed?—There was a new Inspector appointed.

17730a. What was the case with him?—The Act was better enforced I believe, when he was Inspector than previously.

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17731a. How long was he Inspector before the Act was repealed?—I could not just state. For quite a time, I know.

17732a. Was he Inspector when it was repealed?—I think he was.

17733a. And yet the enforcement of the Act was more lax in the latter days than in the former?—Yes.

17734a. Have you observed the working of the license law in the city of Toronto since you have lived here?—I would just like to make one statement. I went to Milton on the day of the last annual fair of the County of Halton, and I saw more drunkenness on that day than I did on the similar day during the time the Scott Act was in force there.

17735a. Was there a larger crowd present?—I don't think so.

17736a. Were there any special circumstances connected with it?—Nothing out of the ordinary way.

17737a. The one might be fairly compared with the other so far as ordinary appearances went?—Yes.

17738a. Do you know whether any steps have been taken to put Milton under the prohibitory clauses of the Ontario License Act?—Not that I am aware of.

17739a. And no attempts to pass the Scott Act again in Halton County since it was repealed?—No.

17740a. Coming to Toronto, have you watched the operation of the license law here?—Not to any great extent.

17741a. So far as you know, is it well carried out?—I judge so, from any observation I have made, except the prevalent amount of drunkenness that seems to be in Toronto.

*By Rev. Dr. McLeod :*

17742a. Is there a good deal of it?—I could not help comparing Toronto with Chicago when I was at the World's Fair. I was there seven or eight days and saw hundreds of thousands, I suppose I might say millions of people, and I only saw two people the worse of liquor all the time I was there.

17743a. Did you spend most of the time at the Fair, or were you in the city a good deal?—In the city a good deal, backward and forward.

*By Mr. Clarke :*

17744a. What is the population of Chicago?—I think a million and a half.

17745a. What is the population of Toronto?—I suppose two hundred thousand.

17746a. One-sixth of the population of Chicago. How many saloons are there in Chicago—how many thousands?—I could not say, but I know there are a good many thousands.

17747a. There are two hundred in Toronto of all kinds. Are we to infer from your remark that notwithstanding the temptations that there are in Chicago in the increased number of saloons and drinking places, that there is less drunkenness, or that the people are more moral or of better stamina, or that if we increased the number of drinking places in Toronto there would be less drunkenness? What conclusion do you want the Commission to draw from your remark?—In the first place, I don't think the people there are as moral as they are in Toronto. I am speaking generally; but the fact has nevertheless impressed me.

17748a. What conclusion do you want us to come to from that statement? that things would be better if we had more beer saloons, or what?—The only conclusion I would come to is that the people drank harder liquors here.

17749a. Would it be an advantage then, to have beer and light wine licenses, or to cultivate a taste for light liquors by making them cheaper, say by taking the duty off malt?—I certainly think that if liquor is to be sold it would be better to sell light beer and wine than spirituous liquors.

17750a. Fermented rather than distilled?—Yes.

17751a. We heard it in evidence that there was an increase in the assessment of the County of Halton as a result of the beneficial operation of the Scott Act. Do you  
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know anything about that?—I believe that is right. I have seen it in reliable papers—in some of the local towns of Halton.

17752a. You do not know it personally?—No.

*By Judge McDonald :*

17753a. We were told also that during the Scott Act period there was not a house vacant in Milton except the county jail. Do you know whether that was the case?—I know this, that Milton was in a very healthy state during the time the Scott Act was in force there. There never have been many houses to let in Milton.

17754a. Then, if there are never many houses to let, it would not be the result of the Scott Act that there was none to let—or will you say there was none to let?—No, I will not.

17755a. Has the population increased as the result of the Scott Act?—I would not say that. Milton's population has kept about the same for a number of years.

*By Mr. Clarke :*

17756a. You believe the statement is correct that the assessment of the county was raised?—Yes, I believe that.

17757a. That would be because of an increased value in the land, I presume; because there was a more prosperous condition of things in Halton as the result of the Scott Act? Is that your opinion?—Yes.

17758a. Because if that is the case, the people must all have been deriving some benefit from the operation of the Act. Can you come to no other conclusion than that political divisions were the cause of the repeal?—I think that, combined with the temperance people being sick and tired of everlastingly trying to enforce an act that they, I should think, had no right to enforce. I should think that to leave any law to be enforced by the people is wrong. An act should be backed up by public opinion and enforced by Government officials.

17759a. The difficulty was that this law was not backed up by that body of public sentiment which is behind other laws—laws against theft, arson, forgery—would that be the case?—Certainly, in Halton it had a majority.

17760a. But not sufficient to cause its enforcement?—(No answer.)

*By Rev. Dr. McLeod :*

17761a. This Mr. Stinson Bradley, Chief Constable of Milton, to whom reference has been made, do you remember if he was pretty active in enforcing the law?—To the best of my knowledge, Mr. Bradley was not favourable to the Scott Act.

17762a. He was before us in Hamilton, and he told us the condition of things under the Scott Act in Milton was most deplorable—that there was sale by what in the west are called boot-leggers, and sales in all sorts of surreptitious ways—matters were in such a state as to grieve his righteous soul or somebody's righteous soul. Would you regard him as a particularly unbiassed and reliable witness concerning the effects of the Scott Act in Milton?—That is a very critical question to ask me.

17763a. I will put it this way. Would you depend rather on your own judgment than on his: your judgment rather agrees with Mr. Young's, I take it?—There is no doubt there are extremes on both sides, and probably some giving their evidence are guided a little by their own extreme views.

*By Mr. Clarke :*

17764a. Would Mr. Young be as extreme on one side as Mr. Bradley on the other?—That is just the same question as was asked about Mr. Bradley.

*By Judge McDonald :*

17765a. You would rather not express an opinion about either of them?—I would rather not.



*By Mr. Clarke :*

17766a. You would believe Mr. Bradley on his oath, wouldn't you?—I would not like to say I would not.

*By Rev. Dr. McLeod :*

17767a. Did you observe such a state of things as I have described, quoting Mr. Bradley, that there was very general illicit sale and a very deplorable condition of things under the Scott Act and by reason of the Scott Act in Milton?—There was illicit sale, of course. Any that was sold was illicit; and it was said at different times how many shebeens, as they were called, there were in Milton, but never to my knowledge were there as many as was stated.

*By Mr. Clarke :*

17768a. How many were stated to be there?—I think, if I remember rightly, about eighteen or twenty.

17769a. How many, to your knowledge, were there?—I would think probably there would be seven or eight places in the town, where they made a little kind of business of it.

17770a. How many licensed places are there now in Milton?—Three.

17771a. And have you any idea how many unlicensed?—No. I think that during the time the Scott Act was in force, if a man took a jug of whisky home, they had a little club with a few friends in. They called that a shebeen. Under the license law they would not have anything of it at all. I think these shebeens were magnified. I think if three got together and had a little quiet spree of their own, it was called a shebeen, whereas now it would not be noticed.

17772a. Where two or three men were gathered together to dispose of a jug of whisky, where it was not sold again, they would not call that a place where liquor was sold illegally?—I think probably one would get the liquor, and the others would, to use a common expression, chip in.

17773a. You think there were seven or eight places in Milton where liquor was sold illegally under the Scott Act?—Yes.

17774a. Are there any illicit dives in Milton now?—I could not state. Anything of that kind would not be noticed now.

17775a. Have you any knowledge that there are any unlicensed places now in Milton where liquor is sold?—When I was in Milton people gathered together to drink liquor similarly to what they did during the time of the Scott Act.

17776a. Did they sell it?—I don't think so.

*By Judge McDonald :*

17777a. Do you think there were any places where it was regularly sold under the Scott Act?—Oh, yes, there must have been places where it was sold.

17778a. Did people bring it in from Hamilton or Toronto, or have it sent by express, for their own use?—Oh, yes.

17779a. Are you in favour of a general prohibitory law for the Dominion, a law that would prevent importation, manufacture and sale for beverage purposes?—Yes, if public opinion is at the back of it.

17780a. What do you mean by that—a mere majority, or what we would call a general public sentiment?—I think in the case of a general prohibitory law a majority should be sufficient.

17781a. Do you think such a law would be successful with a mere majority at its back?—I think that if its enforcement were undertaken, as, of course, it would be, by the Government, it could be made successful to a great extent.

17782a. In case of the enactment of such a law, would you make an exception of liquor needed for medicinal, mechanical and sacramental purposes?—Yes, certainly.

17783a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?

H. J. HOLLENRICK.

—I would not think so, if a number of years were allowed to them to get out of the business.

*By Mr. Clarke :*

17784a. Have you ever visited Buffalo?—Yes.

17785a. Were you there for any length of time?—No.

17786a. Did you observe any drunkenness in the streets of Buffalo?—No, I cannot say that I did.

17787a. Milwaukee, Cleveland, or any city of similar size?—I do not think I noticed any special amount of drunkenness in Detroit.

17788a. How long were you in Chicago?—About seven days.

17789a. During that time, among that immense number of people, you only saw two people drunk?—Yes.

17790a. Was there any prohibition of the traffic there—any difficulty in procuring any kind of liquor on the fair grounds or anywhere else?—Oh, no. Light beer was sold in the grounds.

*By Judge McDonald :*

17791a. Is there any other statement you would like to make?—I would like to say that I know of a number men in Milton who were benefited by the Scott Act being in force. They were habitual drunkards ; during the time the Scott Act was in force they were to my knowledge sober men.

*By Mr. Clarke :*

17792a. And since?—One man particularly whom I have in mind is just as bad as ever. But the Scott Act was a very hard law to enforce.

*By Rev. Dr. McLeod :*

17793a. Largely because there were not the proper officials to enforce it?—A number of circumstances, which we have gone over, militated against it ; and of course the public do not look on it like a law against stealing ; and there is no doubt, I suppose, that it will always be so, at least for some time to come.

*By Judge McDonald :*

17794a. You find, however, that all along the line in the last few years, there has been an improvement as to sobriety and temperance habit among the people?—Oh, yes, there is no doubt about that.

REV. G. M. MILLIGAN, of Toronto, affirmed and gave testimony as follows :

*By Judge McDonald :*

17795a. You reside in Toronto?—Yes.

17796a. You are a minister of the Presbyterian Church in Canada?—Yes.

17797a. What congregation?—Old St. Andrews.

17798a. How long have you lived in Toronto?—Over seventeen years.

17799a. Have you had any experience of the working of a prohibitory law?

No, except in my vacations a few years ago, when I took two or three summers at Old Orchard Beach in Maine. I saw a little of it there.

17800a. Had you any opportunity there of seeing the operation of the Maine law?—Not specially. I only resided there a few weeks.

17801a. Speaking as a citizen of Toronto, have you observed whether the provisions of the license law are well observed?—To the best of my knowledge. I have not had the opportunity of observing these things.

17802a. Have you any parochial limits?—No.

17803a. Is your church in a residential district?—Yes.

17804a. It is not among the business interests of the city?—No.

17805a. In that residential section are the people generally of a well-to-do class?—Yes.

17806a. In your own congregation, speaking from your experience as a clergyman, have you found much misery to be caused by intemperance?—Very little, I think. I suppose that in the more respectable families things of that kind might be more prevalent than would be seen; but I think there is very little difficulty in the domestic life of my parishioners from that cause. There might be a little.

17807a. Have you reason to believe that the provisions of the Saturday night and Sunday law preventing sale are well carried out in Toronto?—To judge by the general quiet of the city I should think so. I think the Police Court shows a good record for those days and for election days, when the taverns are closed.

17808a. Are you yourself favourable to the prohibition of the liquor traffic?—That is just one of the most difficult questions you could put to me. It is so many sided that I find it very difficult to decide it. It is very easy for some to give an answer to that question. For a man who thinks that drinking is *per se* wrong it is a very simple thing to prohibit it, just as he would murder or stealing or any other crime; but I presume these are exceptional people. I do not think drinking is drunkenness. If a man does not need liquor, I think it is better for him as a moral example and a personal habit, to do without it.

17809a. Have you known moderate drinkers who have not become immoderate?—Oh, yes, numbers of them.

17810a. I ask that question because I notice in the paper to-day that a minister of your church in the rural districts states that moderation invariably leads to immoderate use?—Oh, I think he has been unfortunate in his acquaintances, or else he is intemperate in his ideas of things; because I know numbers of respectable men—men with large trusts in the city of Toronto—who take a glass of ale or wine with their meals, and have done so for many years.

17811a. Have you known families in which that has been the custom for years, and without any increase in the quantity taken—that is, it would be confined to a glass of ale at dinner?—Yes. I think, of course, it is better not to do it.

17812a. You think total abstinence is safer?—Yes. At the same time, I have known reputable men who have not been total abstainers—men who have lived reputably all their lives.

17813a. Have you travelled in the old country?—Oh, yes, I was born there.

17814a. Speaking from your knowledge of the old country, is it not a fact that for centuries there has been a use of liquor of one kind or another for beverage purposes; and are you able to say whether there have been families in which the use has been carried on from father to son regularly through all the years without deterioration in those families?—My general experience in the old country—in Scotland, where I was brought up—was that the use of liquor was an evil. In Scotland, too, the usual drink was whisky—very different from the continent. In Paris, I think, I saw two drunken men in three weeks, and one of them I was not sure of. But you cannot go to Glasgow for five minutes without seeing some drunken man. That, I think, is unfortunate.

17815. I am speaking with reference to the deterioration of the race, whether in the old country, where men have been great in the State and the ministry, and in other walks of life, and where men of that kind have for generations used intoxicating beverages moderately—whether there has been a deterioration in the race, or whether the race has kept on possibly improving, with deterioration, from excessive use, in some instances, such as you have spoken of in Scotland?—I would not like to say that the good record in the old land—because I think there has been a good record in Scotland—is due to the drinking habits of the people, it might be in spite of them.

17816a. What I want to know is whether the moderate use has caused the race to deteriorate?—It would be very difficult to say.

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17817a. You think that in France the use of light wines is not hurtful?—I should not think so. In Paris the people sit out on the boulevards and drink their claret, and I do not see why our saloons should keep down the blinds. I think the whole saloon business here should be wiped out.

17818. In case either the saloon bar or the hotel bar had to be done away with, which do you think should go?—I would wipe out the saloon, which is only for selling drink. That is one element of the traffic which I think I would agree with the extremest man in saying is essentially bad.

17819a. Have you observed also that the treating system does not exist in Great Britain or on the continent?—Yes, that is very bad also.

17820a. It is the case in Great Britain and on the continent that each one pays for his own liquor?—I do not know.

17821a. Have you been in Germany?—No.

17822a. In Italy?—Yes.

17823a. How did you find things in Italy?—Very much as in France.

17824a. We have been told that alcoholic liquors have come to be used very greatly in the north of France, owing to the phylloxera having destroyed the grape vines; and others say that there is a cheap wine brought in from Germany, which the people use. Do you know anything about that?—No.

17825a. You are not in a position to declare yourself on the subject of prohibition?—My position is this. If you pass legislation treating as a crime a thing that is not a crime, if you cannot carry the conscience or the moral sentiment of the community with you, you will beget an irreverence for law all around. That is one aspect of the case. On the other hand, I can easily see how, to the young and the weaklings of the country, legislation of this kind may be a safeguard, to say the least. Whether that may in the long run be an evil or not it is not easy for me to say. The medical authorities tell us that, take them all in all, alcoholic liquors have their use. It is a very difficult thing for me as a citizen to decide the question. It is very easy to say, "Get a Morrison's Pill and have the malady cured." I confess that the pros and cons perplex me. My tendency is, perhaps, thinking it all around, to vote for prohibition as a protection to young men, and just have alcoholic liquors used for mechanical, medicinal and sacramental purposes. But we know to what abuse that leads. So, when I was summoned here, I did not know what to say. I am perplexed. It is a question whether it would not be better to go on as we are, and have the Government take the matter in hand as has been done in Sweden, and have it under licenses and properly restricted. I think that would command the co-operation of the rational part of the community, many of whom now feel, and very reasonably, that a prohibitory law is an interference with individual liberty that is not justifiable. So that it is a very complex question. I think the Swedish plan, if it could be carried out, might be the best.

17826a. Under the Swedish plan the person who sells has no interest in the profits?—Yes. I think the great difficulty has been to get the proper authorities to carry it out.

17827a. In case of the enactment of such a law, preventing the manufacture for beverage purposes, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—That is another difficult question.

17828a. Have you considered it at all?—No. The commercial and financial side of the question I have not followed. It presses upon me more from the social and moral and religious sides. I think, from the religious side, that the attempt to make men do right by legislation was well put by one of our ministers the other day, when, quoting Paul, "If meat make my brother to offend, I will eat no flesh while the world standeth," he said that if you drop out the "I will" and substitute "You shall" you drop out the opportunity for the exercise of Christian charity.

*By Rev. Dr. McLeod:*

17829a. Do you think it is well to have public sentiment on these moral questions embodied in law?—Don't you think that we sometimes get better moral results by having a healthy public sentiment not too much crystallized into any shape like that.

We have been doing very well with our temperance agitation. I can perceive a great improvement in the habits of the people since I came to this country as a lad. I think, too, that there is a great deal in climate. I think that in Canada a man cannot drink with impunity as he could in Britain, with its humid air. I think we have our whisky in the air here.

17830a. Have you noticed that as there has been a growing sentiment on this question, that sentiment has found expression in increased restrictions upon the liquor traffic?—Yes.

17831a. Has that been well?—I think so, just as I hinted, that it might be well to reduce the number of places where liquor can be bought; and I would wipe out saloons. I think myself that is not extreme.

17832a. Then, if it appeared later that public sentiment had grown sufficiently strong to warrant a prohibitory law, would it be well to have even that degree of sentiment embodied in a prohibitory law?—That would be a very important element, how far the conscience of the people would render the law operative. At the same time, would not this be a consideration, whether prohibition was one of those forms of legislation for preventing an evil by calling in other and greater evils.

17833a. I think you said, in answer to a question by Judge McDonald, that you have not observed in your congregations a great deal of distress resulting from drink. Does your church do work among the distressed classes of the community by affiliated organizations?—A number of my ladies work a good deal, not in any organization so much as in the church, in St John's Ward and similar localities.

17834a. St. John's Ward is where a good many of the working classes live?—Yes.

17835a. Have you learned, from your own observation and from intercourse with ladies who are active in this work, whether the drink traffic is responsible for much of the distress they come in contact with?—Oh, I think, from the material side, from the political side, from the standpoint, not of Christianity or the church, but of the State, that the liquor traffic is the cause of a great deal of crime and poverty; and that would be one of the reasons that would lead me to vote for prohibition. In certain sections of our city there is no question that it is a great evil; and I may say that these ladies of my church do not agree with me; they think that prohibition is the one thing to obtain. I can sympathize with them. We get a great deal of the work of the world done by one-sided people; but it does not do for us all to be one-sided.

17836a. Have you noticed what is the effect of example, in cases where moderate drinking is pursued year after year without a tendency to excess on the part of the moderate drinkers? What is the effect of the example of parents on the children?—Of course, there is a great deal in a man having a comfortable home, well-cooked victuals, and pleasant surroundings. Then, there is a great deal in good blood. Some men should not touch liquor, because they are weak on that point. I know families who use liquor all along—comfortable, well-to-do people. I think it would be better if they did not, because I think there is a danger. But I have not seen a great deal of difficulty in many cases.

17837a. Speaking of the taint in the blood, have you noticed whether there are cases where parents have been able to use liquors year after year without apparently any injury to themselves, but their children and their children's children have inherited the taint, and have been weaker in consequence and less able to resist the temptation to drink?—I have not noticed that, and I think the practice of drinking is growing less and less in family life in Canada, and that it will rectify itself after a while.

17838a. Do you regard law somewhat as an educator?—Yes. That is why I want to have Sabbath laws.

17839a. Have you observed whether a law against an admitted evil has the effect of strengthening public opinion against that evil and creating more public opinion against it?—If it is an evil, I think that would be quite true. But there are a great many good men whom you will never get to think that drinking is drunkenness.

17840a. It is the traffic that I am speaking of?—We had a discussion on this subject in our ministerial association some days ago, when some one said that the drink traffic was an evil essentially like the social evil, and there would be good reason for

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suppressing it. But I am one of those who do not believe that to drink a glass of liquor is wrong, and I would be very sorry to put the sale of liquor in the same category as the social evil. I think we should be very careful not to stigmatize in law a thing as evil which is not an evil, because if you cannot carry the conscience with you from the very basis, you have a fundamental error which will assert itself sooner or later. That is my great difficulty with prohibition.

17841a. Do you find that the law does now recognize the drink traffic as an evil, inasmuch as it places restrictions about it, and increases those restrictions from year to year? Is that a recognition of the traffic as an evil?—Not necessarily and intrinsically an evil. I do not look upon those restrictions as prohibition, because to license a thing is to admit that intrinsically it is not an evil.

17842. Which feature of the license law do you, as a religious teacher, approve—the permission or the prohibition?—I imagine that if we could have something like the Swedish system, with no temptation to the party selling, with only good liquors sold, and with some limitation of the quantity sold to any person, it might be an advantage; because there is no doubt that the liquor traffic needs supervision. Of course, the word license involves the idea of restriction—that you permit a certain thing to be done, but permit it done in such and such a way.

17843a. You have in your congregation quite a number of young men?—Yes, and I think most of them are exemplary young fellows; and I endeavour to make them so, not by any pledges, but by trying to give them such conceptions of manhood as Christ taught.

17844a. But you have no objection to pledges?—I have no objection to their joining a temperance lodge. In fact, I have taken pledges from two or three men who were weak, and whose wives came to me to ask me to do that, thinking that they would be helped by pledging themselves to me. But to make the law for the weakling a law for all men is not the thing to produce the kind of men that Judge McDonald said Scotland has produced. That is one of my difficulties. Probably in a climate like Scotland's, liquor may be needed that would not be at all needed in a climate like Canada's.

17845a. And yet in Scotland there is a great deal of agitation for an improvement in that respect?—Yes, no wonder; and I hope it will succeed.

17846a. This has been put forward sometimes, that as between the saloon and the hotel bar, it would be better to abolish the latter, for this reason, that men, young men especially, who have not yet contracted the drink habit and have scarcely any desire for drink, when calling at a hotel to see friends or on business, are easily induced to go to the bar-room, and in that way form the drink habit, whereas they have no inducement to go to saloons, whose business is exclusively to sell liquor. Have you thought of that?—Yes, I have heard that, and I think there is a good deal in that. I would like to live to see the day when every respectable hotel will give up its bar. I think all bars are things that should be removed. If a man is away from home, and is accustomed to have a glass of beer with his meal at home, he should be able to get it at a respectable hotel as well as at home. I think there is a difference between taking a glass of beer or wine at a meal and drinking at a bar.

17847a. Do you think the drink habit is at all prevalent among the young men of Toronto?—I am told that it is, and I am told there is not so much as we might think. I think there are other vices that are sapping Toronto worse than drunkenness.

17848a. Do you know whether these other vices are associated with the drink habit?—No, I am told that the people are not drunkards at all.

17849a. I mean people who drink?—Not necessarily. We know that the Moham-medans by religion are total abstainers, but they do not obey the seventh commandment.

17850a. Are they total abstainers in practice? I suppose it is not to be expected that they are much more observant of the teachings of the Prophet than some of us are of many of the teachings of the good book?—No. It just shows the nature of the moral element in this whole question.

*By Mr. Clarke :*

17851a. Does the opinion prevail at all among scholars and teachers that the German and British races are deteriorating because they drink to any extent intoxicating liquors, and have been doing so for generations?—I do not think that the British and German races are deteriorating.

17852a. The people of Germany and Britain drink large quantities of beer and spirits?—Yes.

17853a. It is claimed that the use, by generation after generation, of alcoholic or malt liquors, will produce a poorer quality of fibre—we have had this in evidence repeatedly. It is difficult to reconcile the statement with the progress that we see in England and Germany. What is your opinion on the matter?—My opinion is that the use of alcoholic liquors cannot have interfered with high intellectual and other development in those two nations, with their great history. Certainly, Scotland is a country that has a very good record, intellectually and otherwise; and the Scottish people have not been as sober as I would liked to see them. But, as I have said, whether it is in spite of the use of liquor or by virtue of it, is a difficult question to answer. I suppose a good deal depends on the character of the liquor. Liquor is now, I suppose, a good deal better in quality than it used to be.

17854a. I understand that you favour the abolition of the saloon and the restriction of the treating system as far as possible?—I do.

17855a. Were you at Chicago?—Yes.

17856a. Did you hear the testimony of Mr. Hollenrick regarding the sobriety that was prevalent, and the comparison he made in that respect between Chicago and Toronto?—Yes.

17857a. What was your experience about the fair grounds and Chicago?—I was in Chicago about a week, and I think I saw one or two drunken men. It is astonishing, the absence of anything like drunkenness such as you see in some old country cities; and yet, in going down State Street I noticed that for miles almost every other door was a tavern. There must be an immense lot of drinking.

*By Judge McDonald :*

17858a. Do you know whether it is lager beer?—I presume it is lager beer.

*By Mr. Clarke :*

17859a. They have had prohibition or partial prohibition in Maine for the last forty years. Have you in the course of your reading come across any literature or facts that would demonstrate that there is a higher type of morality in Maine than in States adjacent to it where liquor has been sold legally for the last half century?—No. At the seaside I met a gentleman who was one of the leading citizens of Lewiston, and at his request I went and preached for the people there one Sunday. On the Saturday evening previous he drove me around the town. He showed me some places where he said a few years ago the windows would be stuffed with rags, and otherwise patched up, and now he said everything was prosperous and quiet where there used to be a great deal of trouble. I asked, "Don't you have a great deal of hole-and-corner drinking?" "Not much," he answered. "Do you think, then, that the law has been a good thing, taking it all in all?" I asked. "No doubt of it," he said. His testimony was that it was clearly an advantage, industrially and socially, and conducive to the quiet and order of the town. The gentleman was Mr. Cockburn, who had charge of one of the large cotton factories of Lewiston, and he seemed a respectable man. I can only give you his testimony, for I have no means of knowing the State of Maine, socially or otherwise.

*By Judge McDonald :*

17860a. Is there any other statement you would like to make yourself?—No. I think that in one form or another probably everything I had to say has come out.

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WILLIAM C. ADAMS, of Toronto, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

17861a. You reside in Toronto?—I do.

17862a. How long have you lived here?—I have been in business in Toronto, on King Street, since March, 1854.

17863a. What is your occupation or calling?—Dentist.

17864a. Have you had any experience of the operation of a prohibitory law?—Not more than we have had in the city.

17865a. That is, the Ontario License Law?—Yes.

17866a. Have you found a great improvement in the law, in the changes made in it from time to time, during your residence in the city?—I think the changes in it have been generally for the better.

17867a. Are you in favour of prohibition?—I am.

17868a. Do you favour an act prohibiting the importation, manufacture and sale for beverage purposes?—I do.

17869a. Would you make an exception in favour of what is needed for medical, mechanical and sacramental purposes?—I have no objection to that.

17870a. In case of the enactment of such a law, would you permit farmers to make wine out of their own grapes or cider out of their own apples, for their own use?—I do not think that would come under any prohibitory law.

17871a. What you have in view is the prohibition of the traffic in intoxicating drinks?—Yes.

17872a. Have you reason to believe that illicit sale, that is, sale without license, now prevails to any extent in Toronto?—I do not know much about it, because I do not have much to do with that. Only, I have had persons at my office getting work done, who told me that they were troubled by the vigilance of the police preventing them from making sales; and I came to find out that they had no license.

17873a. Was this recently, or from time to time?—It has happened several times, but not within the past few years.

17874a. Have you reason to believe that the law preventing sale on Saturday night and Sunday is well carried out?—I think there are exceptions to it. For instance, my wife had a servant who went out on a Saturday evening about nine o'clock and got liquor and brought it home with her and took it to her room without Mrs. Adams knowing anything about it. The result was that she drank it to such an extent that on Monday morning she was *non-compos mentis*, and had to be sent away. She had come from the Haven on Seaton Street, and the ladies there told me that this was her failing, which I did not know until this blow-out happened.

17875a. Was she a young person?—She is a widow, the mother of three children,

17876a. Did you find out where she got the liquor?—No.

*By Rev. Dr. McLeod :*

17877a. You are inclined to believe, then, that there is more or less illicit sale, even by licensees?—Whether it was by licensees or without license I do not know.

17878a. She got it after hours?—Yes. With regard to the effect on children of drinking habits in parents, in 1857, I was doing some work for a family that belonged to a religious body. The husband had charge of a large business and was wealthy, and his wife told me that they had liquor in the house all the time, and that whenever her husband wanted any, he would take a glass of beer or stout or wine, as it might happen, after dinner. I advised her that the tendency would be in her children, and that they would probably not have the same self-control as she and her husband had. She said, "We train them well on that point; we teach them that it is all right to take a glass, but they should be careful how they use it." That woman and her husband are both dead; her eldest son died in delirium tremens; her other son is a vagrant in the city; and the money, which I think was sufficient for them to live on, is now spent. These children followed the example of their parents. I talked to the eldest son about it one



time, when he was about seventeen years of age. He said, "Dad thinks we should not take much; but I tell you he doesn't know what goes on." I said, "I think it would do you good to become a teetotaler, as I am; I have never drunk the first glass of grog, not even wine or beer." "Well, he said, "I like it."

17879a. You cite this instance in support of your belief that while the parents may get through without any injury that is apparent even to themselves, the effect of their habit is often felt in the weakened physical and moral power of their children?—I do.

*By Judge McDonald :*

17880a. Has that been invariably the result in every family you have known, in which liquor was used as a beverage?—No, I cannot say that it has been invariably the case. I know one family where the debasement of the father by liquor made teetotalers of all the children.

*By Rev. Dr. McLeod :*

17881a. He became an excessive drinker?—He was not for many years, until his family were pretty well grown up; but he fell at last. I have been in the habit of observing these things since I was twelve years of age. I remember being called a little temperance lecturer when I was a boy. There was a man in the neighbourhood where I lived when a boy, who was a graduate of a college in England, and he told me that he could drink or let it alone; but he afterwards fell through the influence of drink, and brought his family to degradation. That is a common result. I knew of a family in the neighbourhood who were in the habit of drinking occasionally. In the fall of the year the man went to Oakville to sell some produce and get groceries and other things for the family for the winter. He came home, unloaded the things, all but a jug of whisky, which he left in the wagon. After the children were gone to bed, and the horses were put up for the night, he told his wife what he had got, and brought in the jug of whisky, and the two went to work to drink it. One would take a teacupful, and then the other. Finally, they quarrelled over the last, and the husband struck or pushed his wife, and she fell backwards on a bed, too insensible to realize that she had fallen on top of her little infant lying in the bed, and lay there until she smothered the child to death. Some of the neighbours thought this was murder, and that something should be done about it, and it made a great sensation in the neighbourhood. This called my attention to the temperance question at an earlier age than is the case with most persons.

*By Judge McDonald :*

17882a. Is there anything further that you wish to state yourself?—No.

JOHN S. LUCUS, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

17883a. Where is your place of residence?—Toronto.

17884a. What is your occupation?—Merchant and temperance hotel-keeper.

17885a. What hotel do you keep?—The Lucas House on Terauley Street.

17886a. You have no license?—No license.

17887a. Do you sell aerated liquors?—No.

17888a. Do you send a bus to the train?—No.

17889a. Have you entertainment for travellers or boarders?—Both.

17890a. You have your regular customers, I suppose?—Yes.

17891a. How long have you lived in Toronto?—A little over seven years.

17892a. What mercantile lines are you in?—General groceries.

17893a. Do you carry that on in the same premises that your hotel is in?—Yes.

17894a. Have you had any experience of the working of a prohibitory law?—I had before I came to Toronto.

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17895a. Where?—In the County of Simcoe.

17896a. Was that the Scott Act or the Dunkin Act?—The Scott Act. The Dunkin Act was carried there, but never was in force.

17897a. How did you find the Scott Act carried out?—As far as my observation went, it was a great good to the community.

17898a. It was repealed, we understand?—Yes.

17899a. How do you account for its repeal?—A general feeling grew up in the community that the Governments were not doing their duty in trying to carry out the law, and that it was too great a load for the temperance people to assume themselves.

17900-1a. Was it being left to the temperance people to enforce the Act?—Yes, largely.

17902a. And I suppose they got tired of that?—Yes, and we were surrounded by communities that had not the Scott Act, and men brought liquor across from North York.

17903a. Was the work of enforcing the Act made costly to the temperance people? It was troublesome and somewhat costly.

17904a. What is your experience of the working of the license law in the city of Toronto?—I think it is pretty well carried out.

17905a. Is there much illicit sale on Saturday night and Sunday?—No, I think there is not. I live in St. John's Ward, a part of the city, where I can see as much as in any other part; and though I do see an occasional drunk on the Sabbath, my opinion is, though I have not positive proof, that the liquor is chiefly, if not wholly, obtained from illicit places.

17906a. Would you favour the enactment of a prohibitory law prohibiting the importation, manufacture and sale for beverage purposes?—I do most decidedly?

17907a. Would you make an exception in favour of liquor needed for medicinal, mechanical and sacramental purposes?—Yes.

17908a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—No more than any other man in business should be remunerated in consequence of a change in the tariff of the country.

17909a. In case of the enactment of such a law, do you think it should prevent farmers making cider or wine for their own use from their own apples or grapes? No, I do not think that would be right.

17910a. The prohibition you have in view is the prohibition of the traffic? Yes.

17911a. Can you, as a hotel-keeper, speak as to whether a hotel can be made profitable without a bar in connection with it?—Yes, I have every confidence that it can. I have kept the Lucas House for six years, and at the present time we are doubling its capacity by adding twenty-six or twenty-seven new rooms. The profits are not so large as where the sale of liquor is carried on, but our habits of living I think are better than in the ordinary hotel.

17912a. Do you charge the same rates as ordinary hotels?—We charge a dollar a day to transients.

17913a. What do you charge your boarders?—\$3.50 is the minimum. It depends on the location. We are crowded, and cannot take so many permanents as we could a few years ago.

17914a. As between the permanents and the transients, which class do you have the most of?—I have the most boarders.

17915a. We are told that sometimes men who open temperance hotels do not get the support of the temperance people who come to town—that they go to licensed houses. What is your experience in that respect?—That is true. I have been somewhat disappointed. Before I started this business, I had been entertaining temperance lecturers and others; and I did some work in connection with temperance reform, and also in connection with the clergy; and I confess that I have been somewhat disappointed. Men have not patronized our house who, I thought, should have done so. Still, I have not been discouraged.

17916a. I suppose that, in a large city like Toronto, there ought to be room for a good many temperance hotels?—Plenty.

17917a. And there should be quite enough temperance people to support them?—Yes. I have been encouraged to go on building quite extensively—a hundred feet on Terauley Street by sixty-six feet on Louisa Street, and fitting it up with hot water heating. I intend to advertise. Of course, the hotel is in “the Ward,” but the clergy and the newspapers, I think, say too much about that part of the city. If there is a crime committed on the street, they mention the Ward, and quote it against the whole community, and in that way they advertise it as a place for the vile. I have called on some of the newspapers and complained of that.

17918a. Is there any further statement you would like to make?—There are just two thoughts I would express. In the first place, I am undoubtedly of opinion that the drink traffic is a great evil; and in the next place, that between the saloon and the licensed boarding-house or tavern, I would be in favour of removing the license from the hotel. I think the surroundings and influences to lead young men and others astray are greater there. They are both great evils, I would prefer to remove the hotel bar.

17919a. Your statement as to the evil results of the traffic is based on observation?—Yes, and I was acquainted with Mr. Laing, the jailor of Barrie for a great many years.

*By Mr. Clarke :*

17920a. Did you ever keep a hotel with a bar?—No, but I have seen a great deal of it. I find that the more people are kept from liquor, the more they will buy of other goods. I was for many years a merchant at Churchill, in the County of Simcoe, and I found that the traffic was a degenerator of trade, a generator of falsehood and dishonesty. I was strongly in favour of prohibition then, and the older I grow the more strongly I am in favour of it.

*By Rev. Dr. McLeod :*

17921a. You are in favour of it both on moral and on business grounds?—Yes, on both grounds.

*By Judge McDonald :*

17922a. Is your grocery business successful too?—Yes, but we do not push that.

A. D. WATSON, M. D., of Toronto, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

17923a. You reside in Toronto?—Yes.

17924a. How long have you resided here?—About ten years.

17925a. Have you had any experience of the working of a prohibitory law?—I have not.

17926a. As a citizen of Toronto, have you found the provisions of the license law to be fairly carried out—the provisions, for instance, preventing sale on Saturday night and Sunday?—I know they are not absolutely carried out. I think they are apparently well carried out, but I know there is breach of the law.

17927a. Have you reason to believe that there are places in which liquor is sold which are under license?—I have.

17928a. Many of them?—I do not know that there are many; but I have strong reasons for thinking there are some in my neighbourhood.

17929a. In what part of the city do you live?—In the west end, on Euclid Avenue.

17930a. Do you think there are some in that neighbourhood?—I could not prove it, but I have seen evidences of it, such as people going up back lanes on Sunday.

JOHN S. LUCUS.

17931a. Are you in favour of the enactment of a prohibitory law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes?—I am.

15932a. Would you make an exception in favour of liquors needed for medicinal, mechanical and sacramental purposes?—I would.

17933a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I think I would rather have them remunerated if it were necessary in order to have prohibition, but I do not think as a matter of justice it would be necessary. I think they could employ their capital and use their buildings very largely in other ways that would employ more workmen, and be quite as remunerative to them in the present state of moral sentiment.

17934a. Speaking as a medical man, have you observed whether intemperance has anything to do with disease and sickness among the people?—I have. I have always found it necessary to make a strict inquiry in case of any serious disease as to the habits of the patient in that respect, and my prognosis is always materially affected by the facts of the case.

*By Rev. Dr. McLeod:*

17935a. Have you observed the effects of the habitual moderate use of intoxicants by parents on their children?—I have found that the cases of very many drunkards and very many of those who have weakened constitutions in other cases are traceable to the fact that at the tables where they were raised as children they have been accustomed to receive liquor, and I believe it will have the same effect in time upon the children as well. I think it would deteriorate the constitution to some extent. Of course, that depends largely upon the hereditary constitution of the family, the climate, and other matters.

17936a. You regard total abstinence, then, as compatible with the best health?—I do, certainly.

17937a. In cases of severe accident or severe illness, are the chances of recovery better in one who is an abstainer than one who has the drink habit?—I think there is no doubt of it. There certainly is.

17938a. I suppose there are some drinking patients who pay as well as other people, but there are some who are not as good pay?—I find, as nearly as I can estimate, that about four-fifths of my bad debts are not paid because those who owe them are in the habit of paying their money over the bar. I think about the year 1891 I looked over my accounts for three years back, and I found, as near as I could estimate, that I had lost about a thousand dollars a year in those families that were spending their money in drink; and I think what is true of a physician is true of those in other lines of business.

17939a. So that, from your point of view, the drink habit is not a profitable thing?—I am in favour of prohibition, for my own pocket as well as for other reasons.

17940a. Have you given any consideration to the treatment of inebriates?—I have. I have treated several of them myself, and I have observed the treatment called the Gold Cure and other cures.

17941a. Have you made an investigation of what is called the Bi-chloride of Gold treatment?—I have observed very closely some who were treated by it, and the large majority of them are drunkards to-day.

17942a. They had relapses?—Yes. Of course, there have been analyses made of these matters, though the proprietors of the cures always deny that the analyses are correct. I think that in all these cures the curative agent is belladonna; but I think there is a very strong element of mental suggestion in what is called the Gold Cure.

17943a. Have you any theory in regard to the treatment of habitual inebriates?—I think habitual inebriates should be treated in an inebriate asylum. I think that until we have prohibition, the State should not only control and restrict the traffic, but should conduct the traffic.

17944a. And should provide for the care of inebriates?—Certainly. It is responsible.

17945a. Rather than shutting them up in jail?—Yes.

17946a. In the event of prohibition, of course liquors will be permitted for certain purposes. Would you have them controlled by Government entirely for medicinal and mechanical purposes?—I would, and sold only in sealed packages.

17947a. You would not have them dispensed in the ordinary way?—No.

17948a. You would put very strict regulations about the sale of liquors for permitted purposes?—I would.

17949a. In your practice you necessarily move about among the people a good deal, both day and night. Do you observe that a large degree of the domestic distresses are the result directly of the drink traffic and habit?—I do observe it, very commonly and very incessantly in that part of Toronto where I live. The people are of the working class. And perhaps the saddest thing of all is that some of them do not realize their own distress and degradation.

17950a. It has been suggested that if the working classes could be provided with more cheerful homes, there would be less disposition among them to drink. What do you think of that?—I am entirely and strongly in sympathy with any plan by which the working class can be raised into a better social and home atmosphere. At the same time, I believe that the drink habit, where it goes to a certain length, is a disease. I have gone so far as to bring an inebriate right into my own home and keep him there, for a time, though I do not keep a private hospital at all; he was a man who happened to be a professional man in whom I took an interest. He remained straight after treatment for about a year—treatment by means of medicine and kindly, brotherly supervision; but the first time I saw him, after losing track of him, he looked so seedy and woe-begone that I feel sure he has relapsed.

*By Judge McDonald:*

17951a. Is there any further statement you think of, yourself?—I am strongly in favour of the State working the liquor traffic until we have prohibition, and not deriving any profit from it further than to carry on inebriate asylums.

*By Rev. Dr. McLeod:*

17952a. Nor making it a source of municipal revenue?—No. I would have the municipalities raise that in the same way that they raise other taxes.

17953a. Do you think the fact that a municipality gets a revenue from the traffic is a sort of bribe from the drink trade to continue it?—That is one reason; and on moral grounds I am against it.

17954a. And in so far as there would be a profit in the traffic, you would have the State appropriate that for the cure of inebriates?—Yes.

The Commission adjourned.

A. D. WATSON.

TORONTO, 8th December, 1893.

The Royal Commission met at 10 a.m.

*Present :*

JUDGE McDONALD.

REV. DR. MCLEOD.

MR. E. F. CLARKE.

EDWARD J. T. FISHER, M.D., of Toronto, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

17955a. You are a doctor of medicine?—Yes.

17956a. You reside in Toronto?—Yes.

17957a. How long have you resided in Toronto?—About twenty-seven years.

17958a. You have been practising in the city for how many years?—About twenty-four years.

17959a. Have you had any experience of the working of a prohibitory law?—Not personally.

17960a. Have you had an opportunity of observing the working of the Ontario License Law as carried out in the city of Toronto?—Yes.

17961a. Do you find that it is a satisfactory measure in its present shape?—Not at all.

17962a. What are the difficulties about it?—I find there is considerable illicit selling.

17963a. Do you mean by unlicensed people?—By unlicensed people and in unlicensed hours.

17964a. How are the provisions of the law carried out by those who have licenses as to Saturday night and Sunday?—I think some of the licensees are conscientious in the matter, and I think there are a large number who are not.

17965a. Are there any improvements to that law which you could suggest?—Make it more restrictive.

17966a. In what way?—Abolish the liquor altogether.

17967a. We will come to that presently; but in the meantime we have a law with which we have to deal, and it is the part of wise men to do the best we can with what we have?—That is, if we cannot get any better.

17968a. Will you make suggestions as to what you think would be improvements in the law itself?—I do not know as I can suggest anything. I have never studied the matter on that line.

17969a. Are you in favour of a prohibitory law, preventing the importation, manufacture and sale for beverage purposes?—I am.

17970a. Would you make an exception of liquors needed for medicinal, mechanical and sacramental purposes?—Certainly.

17971a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I would not.

17972a. In case of the enactment of such a law, would you allow farmers to make wine from grapes or cider from their apples for their own use?—If it were possible, I would prohibit that too. I am afraid our present education is not far enough advanced for that.

21—74½\*\*\*

17973a. The measure you are seeking to establish would, except for medicinal, mechanical and sacramental purposes, banish the use of liquor entirely?—I would. I look upon it as a cancer in the body politic, and just as with a cancer in the human system, if you leave any roots you are liable to have a return of the disease.

17974a. Do you know any country in which such a law is in force?—I do not.

*By Rev. Dr. McLeod :*

17975a. I suppose we are to understand that you, from your observation and experience, have come to the conclusion that license does not really regulate the trade?—It does not.

17976a. You hold strong views about the prohibition of the trade. Upon what do you base those views? Your observation of the effects of the trade?—My observation of the effects of the trade, and the gradual growth of education in my mind.

17977a. As a professional man will you tell us what is the effect of the use of alcohol, not in excess, but moderately and habitually on the human system, is it good?—It is absolutely injurious in any quantity, just in proportion to the quantity taken.

17978a. I suppose you prescribe it for medicine sometimes?—There would not have to be a very large stock kept on hand if no one prescribed any more than I do. I was taught to believe in it as a medicine, but my experience has taught me that it is of no use at all.

17979a. We had a physician in St. John who told us that alcohol was really the right hand of the profession?—I look upon it as the bane of the profession. I am satisfied that the earth covers a good many cases labelled pneumonia, typhoid fever, and so forth, that might be more truthfully labelled the result of alcohol. In fact looking on my early practice, I am satisfied that it was the alcohol that I prescribed that was the indirect cause of death in some cases. I do not think I have prescribed a pint of liquor in any shape or form, all put together, in the last five years, and my success in all diseases has been greatly in excess of what it was in former years. I do not know that it is all attributable to the non-use of alcohol; but a large part of it is.

*By Judge McDonald :*

17980a. Has the increased success been in such cases as you had formerly administered alcohol in?—I think in some cases it is. I look upon alcohol as an irritant when taken into the system, and the powers are called forth to get rid of it; and it is driven out of the system in the shape in which it is taken in. There is not a particle of it digested and used to go to the strength of the body—not a particle of it assimilated.

17981a. Would you consider the taking of a glass of ale at dinner every day as incompatible with the best health?—The taking of even a glass of ale I look upon as incompatible with the best health.

17982a. Is there any other statement you would like to make yourself on this question?—I do not know of anything. The ground is pretty well covered.

*By Mr. Clarke :*

17983a. Is that opinion ascertained very generally in the medical profession?—Not to the extent that I would like to see. They are tending that way.

17984a. Do the best authorities entertain that view?—The latest and best authorities are looking that way.

17985a. Can you give us the names of some of the medical authorities that entertain that view?—I did not come prepared on that particular point.

*By Rev. Dr. McLeod :*

17986a. From your knowledge of the profession, do you find the medical men are using less alcohol in their practice, and are getting more pronounced views as to the dangerous effects of alcohol?—I think they are, as near as I can judge.

EDWARD J. T. FISHER.

STAPLETON CALDECOTT, on being duly sworn, deposed as follows :

*By Judge McDonald :*

17987a. You reside in Toronto?—Yes.

17988a. You are a wholesale merchant?—Yes, of the firm of Caldecott, Burton & Spence.

17989a. How long have you resided in Toronto?—Fifteen years. Before that I lived in Montreal, and originally in England.

17990a. I know that you take a warm interest in all moral and reforming agencies. I suppose your attention, among others, have been called to the evils caused by drunkenness?—Yes.

17991a. Have you had any experience of the working of a prohibitory law?—I cannot say that I have; not personally. I have at times been in the State of Maine, three or four weeks at a time during the holiday season.

17992a. What was your experience there?—I found that by resorting to certain methods liquor could be got; but it was only the initiated that appeared to know how to get it.

17993a. Where was this?—At Orchard Beach.

17994a. You have of course had considerable opportunity of observing the working of the license law in the city of Toronto?—Yes.

17995a. How do you think it is carried out?—I think it is fairly well carried out in the city of Toronto. At the same time, I am conscious of many weak points in the license law.

17996a. Would you name them?—I mean the results in the actual working of the law. For instance, on Thanksgiving day I observed a large number of youths of from sixteen to twenty years of age under the influence of liquor. In one case I saw six under the influence, and calling for a bottle of brandy. I saw more young men under the influence of liquor on that day than I have seen for a considerable time past.

17997a. Would you include such a day as Thanksgiving day in the prohibited days?—Yes.

17998a. Do you know whether minors in Toronto are able to get liquor?—Those I saw on Thanksgiving day were for the most part minors.

17999a. Have you reason to believe there is much sale by people who are not licensed?—No, I cannot say that I have.

18000a. In carrying on the work of a benevolent and reformatory character in which you are interested, have you found much difficulty thrown in your way owing to intemperance?—Yes, I might honestly say that I have. I teach a large Bible Class on Sunday, composed mainly of working people, and every case of poverty that I have met with comes directly or indirectly from the use of liquor, and I have seen some appalling cases. I have known children to be starving for days when the temperature was below zero, and all on account of the use of liquor by their parents. That was in the city of Toronto, and it occurred last winter.

18001a. Do you favour the enactment of a general prohibitory law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes?—I do.

18002a. Would you make an exception of liquors needed for medicinal, mechanical and sacramental purposes?—Certainly.

18003a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—Only where the operation of the law causes men to suffer loss, and where they could prove a just claim against the Government. At present, for instance, they are compelled to keep liquor for two years. In such a case I think they are entitled to consideration.

18004a. Have you considered at all the question of revenue?—I have. My impression is that we would be far better able to pay more taxes if we had no liquor used at all.



18005a. A gentleman engaged in a business similar to yours, Mr. Warring Kennedy, told us yesterday that the hard times were caused by under-consumption rather than by over-production?—I think he is quite correct. There is no such thing as over-production, because the people are not properly clad and housed yet, and until that takes place there can be no over-production.

18006a. Do you think, taking Ontario and Canada generally, that our people are perhaps running too much to luxuries instead of necessities?—There is a tendency that way among certain classes.

*By Mr. Clarke :*

18007a. You have had no opportunity, then, of comparing license with limited prohibition even?—Only by reading accounts of various license and prohibition States? and I have come to the conclusion that where prohibition is honestly enforced, and where the politicians are in sympathy with the efforts to enforce it, and even where it is partially enforced, it is a blessing.

18008a. Do you know where the politicians are in sympathy?—I think for most part they are in sympathy in Maine, and I think the benefits of the law there have been very great. I take Mr. Blaine as my authority. In 1851, Maine was the poorest State of the Union per capita, and to-day, according to Mr. Blaine, it is the richest per capita; and this he attributes to the liquor law.

18009a. Have you examined the census of 1891 on that subject?—I have only taken Mr. Blaine's statement.

18010a. You rely on the statement?—From his eminent public position, I do not think he would make a statement that would not be sustained by the facts.

18011. You have not yourself any facts to substantiate that statement?—No.

18012a. Would you favour taking away from the people the right to import liquor for private use?—I would.

18013a. In Maine and the other States where prohibition is the law, there is no prohibition of that kind?—Just so. It is a loophole for the breaking of the law.

18014a. Did you see any open sale of liquor in bar-rooms in Old Orchard?—Never once, and I was living at the largest hotel there. A man had to be known before he could get any liquor.

18015a. Did you visit any of the cities of Maine?—Only Portland.

18016a. What did you see there?—The initiated could always get liquor, but only by resorting to what I considered dishonourable methods.

18017a. Then, the law was fairly successful?—I thought so.

*By Rev. Dr. McLeod :*

18018a. Do you employ a considerable number of people in your business?—Yes, we employ about seventy-five salesmen and travellers.

18019a. Have you any rule that you apply to your employees with reference to their drinking habits?—We always discriminate in favour of total abstainers.

18020a. That I suppose is for business reasons, in part at any rate?—For business reasons. We find, especially in the case of travellers, that if men use liquor, they are of no use to us.

18021a. Sometimes we have met travellers who think the use of liquor is essential to their business—that they have to be hail-fellows in order to make sales?—That class of men only succeed for a short time. The man who does not drink has more permanent success.

18022a. His success is abiding?—Yes, it is. He gains the confidence of his customers. A great number of young men who have been ruined by the habit frequently call on me for situations, and I am unable to offer them any encouragement unless they change their habits.

18023a. And I suppose such a rule as you apply and enforce, may have the effect of inducing young men to be careful?—I think it helps in that way.

18024a. It is a sort of prohibition, so far as your firm is concerned?—Yes.

STAPLETON CALDECOTT.

*By Judge McDonald :*

18025a. Is there any further statement you would like to make?—Except this. I think it would be a great blessing to the Dominion if a prohibitory law were enacted, and I have not the slightest fear, provided there is a sufficient amount of public opinion at the back of it, which I think there is, that it could be as thoroughly enforced as the license law. Feeling that, I would be glad if the Dominion Parliament would give us an experiment of it for five years, and if it did not succeed as well as the license law, I for one would be prepared to have it abrogated.

*By Mr. Clarke :*

18026a. To what do you attribute the repeal of the Scott Act?—It was not complete prohibition. For instance, Halton would have hotels all about it, and the merchants were not satisfied with that state of things, because they felt that they were losing their trade; and the magistrates thought it was unjust and unfair to have liquor sold in one county and not in another. I saw Halton both under the Scott Act and after its repeal. Under the Scott Act I did not see any drunkenness in the county. After its repeal I saw a great deal of it.

18027a. Then you consider that the Scott Act was beneficial?—Yes, even though it was only partially carried out.

18028a. Have you considered the present method of dealing with confirmed drunkards?—They ought never to be sent to jail. They ought to be sent to a reformatory, and that burden ought to be placed on the revenue that comes from the liquor traffic. I think we are all agreed that the worst thing you can do with a man, if you want to reform him, is to send him to jail.

18029a. If the license law is to be continued, what have you to say with regard to saloon licenses?—Saloons cannot be justified on any grounds. The evil they do is before everybody's eyes.

18030a. If either the hotel license or the saloon license had to be abolished, which should be retained?—The hotel license.

18031a. The view has been put forward that the saloon bar is less injurious than the hotel bar, because it is known simply as a liquor saloon, whereas in the other case under the cloak of having business with travellers, many who do not care to go to a saloon go to the hotel bar to drink?—That would apply to confirmed drinkers. I think there is a generation of young men now who do not indulge in that way, and in many cases the bar is now removed from the other part of the hotel. The fallacy was put forward some years ago that hotels could not be profitably run without selling liquors; but the Toronto Coffee House Association has proved the contrary. It gives cheaper and better meals, and has been a pronounced success all along.

18032a. Has that principle been put into practice by the erection of any first-class temperance hotel?—I think it is a great want in this city; and there is no better method by which a capitalist could make money than by establishing, not a trumpery arrangement, but a first-class temperance hotel in Toronto. In the city of Manchester I stayed at a first-class temperance hotel that has been a great success from the start.

*By Judge McDonald :*

18033a. They have such hotels in Scotland too?—Yes, and financially they are a great success.

REV. A. C. CREWS, of Toronto, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

18034a. Where do you live ?—In the city of Toronto.

18035a. Of what church are you a minister?—The Parliament Street Methodist Church.

18036a. How long have you resided in Toronto?—About a year and a half.

18037a. Where did you reside before that ?—In Winnipeg.

18038a. Have you ever resided in any place where a prohibitory law was in force ?—No.

18039a. You have not had personal experience of the working of a prohibitory law ?—I have not had any personal experience of the kind.

18040a. Taking the city of Toronto, with your experience of it, how have you found the provisions of the license law carried out ?—I think they are carried out in Toronto about as well as in any city I have ever lived in. I have lived in a number of cities—Hamilton, St. Catharines and London, as well as Winnipeg.

18041a. Have you noticed any weakness in it ?—I have not observed it very carefully.

18042a. Is your church in a residential section of the city ?—Yes. A considerable part is occupied by the working classes.

18043a. Are there any licensed places in the district ?—Yes.

18044a. Do they interfere with your pastoral work ?—Oh, yes, considerably ; there is no doubt of that.

18045a. Speaking as a pastor, do you find that a great deal of poverty and misery is caused by intemperance ?—A great deal of poverty is undoubtedly. I have men calling almost every day at my house for assistance.

18046a. We have placed on record the declaration of the General Conference of your Church, in favour of prohibition, made in Montreal in 1890. Do you personally concur in that declaration ?—Certainly I do.

18047a. Would you be prepared to make an exception in favour of liquors needed for medicinal, mechanical and sacramental purposes ?—Yes, I would be prepared to make that exception.

18048a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless ?—No, except with the exceptions Mr. Caldecott mentioned a few moments ago.

18049a. Stock, machinery and plant required by Government regulation ?—Yes.

*By Rev. Dr. McLeod :*

18050a. Were you in Winnipeg during the plebiscite ?—No. I left three or four months before the vote was taken.

18051a. You were there during the campaign leading up to that vote ?—A portion of it. The campaign was just starting.

18052a. You probably had some knowledge of the feeling of the people ? One gentleman declared that vote was for fun. Did you get the impression that the people were in pretty good earnest ?—I do not concur in that view at all. I think the people were in earnest. In my opinion, the vote is a fair expression of the feeling of that country.

*By Mr. Clarke :*

18053a. What has been done since the vote was taken to give effect to that expression of opinion ?—I do not know that anything has been done.

*By Rev. Dr. McLeod :*

18054a. Do you have a good many young men in your congregation ?—Yes, quite a number.

Rev. A. C. CREWS.

18055a. Have you observed that the licensed drink shop is a temptation to young men who are more or less weak?—It certainly is. It is generally in a prominent place, and it appeals to young men passing, all the time.

18056a. Do you have to do with persons who are addicted to strong drink, and who, no doubt, sincerely desire to refrain from it?—Yes, I do.

18057a. Do you learn from your contact with them, and your knowledge of their feelings and purposes, that they find the facilities that exist for purchasing drink a menace?—They certainly do. I meet with men continually who have the most earnest desire to quit, and who apparently have not the power to quit in face of the temptations around them. I have had many such cases.

18058a. And that is one of the reasons why you would have these places all closed?—Certainly, I am in favour of that.

*By Judge McDonald :*

18059a. Is there any statement you would like to make further?—No; I think my opinion has been embodied in the answers I have given to the questions. I find a very large part of the poverty and misery in the section in which I work directly due to the liquor traffic. Consequently, I am in favour of its suppression.

*By Rev. Dr. McLeod :*

18060a. Do you find that the license liquor traffic is a help to you in your work?—On the contrary, it is a decided interference.

18061a. Do you know anything else so productive of poverty and misery as the liquor traffic?—There is certainly nothing that I know of that is productive of so much misery.

MICHAEL BASSO, of Toronto, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

18062a. Where do you reside?—At 64 Allen Street in this city.

18063a. What is your business or occupation?—I am agent for the Anchor Line.

18064a. How long have you resided in Toronto?—Twenty-seven years.

18065a. Have you had any experience of the prohibitory law?—I had some experience in Bowmanville, in Durham County, of the Dunkin Act, I think, some ten or twelve years ago.

18066a. How did it work?—It did not work very well, because there was a certain element that did not want it to work.

18067a. Are you yourself favourable to the enactment of a prohibitory law?—Yes.

18068a. A law that would prohibit manufacture, importation and sale for beverage purposes?—For private use for drinking purposes.

18069a. Would you permit farmers to make wine from their own grapes and cider from their own apples for their own use?—Certainly. I think it would be a great thing for this country, that everybody that likes to drink should cultivate grapes and make their own wine.

18070a. What you would call a light wine?—Yes: I am an Italian.

18071a. You lived in Italy, I suppose, until you grew up?—Yes.

18072a. Tell us how things are in Italy?—Italy, as you know, is a wine-drinking country, and everybody lives in a locality where vines will grow and grapes will ripen well, and engages in the industry of growing grapes and making wine. Strong liquor is almost unknown there.

18073a. You mean distilled liquors?—I mean whisky, brandy, rum, and all that. The only strong liquor they have there is what is called aqua vitae. Amongst a certain

class of people there is another strong drink used, called the *Lachrymæ Christi*—the tears of Christ.

18074a. Is that a liquor that is made by the monks at one of the monasteries?—Yes. These strong drinks are only used there as the people in this country use vinegar and pepper at the table—merely as appetizers; more for abuse than use; for taking a drop in the morning, as some people in this country take whisky for an eye-opener. But these are very little used: the general beverage of the country is wine.

18075a. Is there much drunkenness in Italy?—Not very much.

18076a. The people use these light wines at meals?—Oh, yes, at all meals. They use wine as people use tea in this country.

18077a. It is part of the regular food?—Yes. At the time I lived in Italy the disease got into the grapes, destroying them before they got ripe. If a person went into a house and asked for a drink of water, he would think it very mean if the people would not give him wine instead of water. The labouring people, when they go into the fields to work, take their flask or their gourd filled with wine, and undoubtedly it helps them. It is a strengthener, and is considered necessary for the workingman. At the time I lived in Italy I never knew an Italian to be arrested for drunkenness or brought into the Police Court for such a thing. In fact, it is a thing looked on as very remarkable. I have no doubt native wine, if fermented, is intoxicating; but still, it has not the effect that this strong drink has on the people of this country.

18078a. Are there many Italians in Toronto?—We have a colony of six or seven hundred here.

18079a. What is their habit here?—They are gradually growing into the same habits as the people of this country, so far as drinking is concerned.

18080a. I suppose it would be difficult for them here to get the light wine to which they were accustomed in Italy?—Yes. That is the reason they take to beer and strong drink—because wine is too dear. They have to pay fifty cents for a small bottle of wine and for the same money they can get a small keg of beer, holding two gallons.

*By Mr. Clarke :*

18081a. What would the bottle of wine cost in Italy?—It would cost in Italy not more than ten cents at the very utmost; but as a rule they could get it for five cents.

*By Rev. Dr. McLeod :*

18082a. Are the Italians in this city very much given to the use of whisky now?—I cannot say that they are given so much to the use of whisky as to beer.

18083a. Is there much intoxication amongst them?—Certainly; amongst a certain class it has a bad effect. I have known certain Italians who were never drunk in the old country, and never drank to excess—hard-working, industrious men—and who here neglected their families and became drunkards.

18084a. I suppose, it is as much for these men as for the protection of the people at large that you favour the prohibition of the liquor trade?—I do. If we had prohibition in this country, no doubt it would encourage the planting of the vine and raising grapes, and that would, no doubt, in time become a large industry; for there is no doubt that the grape ripens well in Canada. I do not know any reason why any citizen in this city who has a lot thirty feet by a hundred could not grow grapes enough to make all the wine he wanted in the whole year. I know a family in this city that grew grapes in the yard, and made from them last summer five gallons of as good wine as you need to drink; and the same yard, if all planted with vines, would have yielded enough to make fifteen gallons, so that they would not need to go to the tavern.

*By Rev. Dr. McLeod :*

18085a. You look on the tavern as a dangerous place for these men?—I think it is a dangerous place for every one who goes there.

18086a. I did not know but that you had in mind these labouring men who had contracted this drinking habit much to their injury?—It is a dangerous place to go to

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for any man who has not got sufficient control over his common sense to say, "I won't go there." Of course, there is no danger for any man whose brains are well balanced.

18087a. He can stay away?—He can stay away.

18088a. You would like to have those places closed up?—Yes; there is no doubt about that.

*By Mr. Clarke:*

18089a. Is there anything heard about the prohibitory movement in Italy?—No; there is no prohibitory movement there, because the country is practically all planted with grape vines, and the wine-making is really a natural industry in the country; so that I do not see how any man could go against it. In this country, the manufacturers of liquor actually take good food and turn it into poison. They might as well take a plum pudding and make it into castor oil.

18090a. Your prohibition, then, would not extend to light wine?—No.

18091a. It would apply to the more intoxicating liquors of this country?—I would banish everything but light wine.

18092a. Is that light wine intoxicating?—If it is fermented, it is intoxicating.

18093a. Is the light wine that the people use fermented?—Yes.

18094a. Is it intoxicating?—Yes.

18095a. You would not prohibit that?—No; because I do not think it is injurious to a man's system.

18096a. But you think lager beer is?—Yes. It bloats a man up until he becomes a soap-bubble man.

18097a. The German people use it constantly. Do you think the German race is deteriorating?—I have no doubt it is. I think the German people are using too much of it.

18098a. Do you think the use of light wine among your countrymen creates an appetite for stronger drink?—No. Among the Italians of this country, I do not believe there is one when they first came here, asked for strong drink. They hate it; but finally they get into the habit the same as anybody else. They generally call for wine and look for wine; but, as they cannot get it, the hard-working labourers, who work with the pick and shovel, gradually, by coaxing and trying, come to like the stronger drinks as well as any one.

18099a. The view is presented to the Commission frequently that the use of mild liquors, such as lager beer and light wine, creates a taste for stronger liquor. That is not my opinion. I am now speaking of my countrymen: they certainly would not drink anything else but wine, if they could get it; they actually believe that there is no kind of beverage that surpasses wine. Even when doctors order a little stimulant for women in case of sickness, it is hard to get them to take it; they say, "I always had wine for that purpose in Italy." But the doctors here, unfortunately, think they cannot do very much to cure their patients without whisky.

18100a. Has the difference of climate anything to do with the difference of taste among the people of different nations?—I have not found it so among the Italians of Italy.

18101a. The Italians all drink wine: it is a national drink?—Yes. It has been so for centuries.

18102a. And notwithstanding the fact that the people of Italy have been drinking wine for scores if not for hundreds of years, they have developed no taste or appetite for stronger drink?—No.

18103a. Is the Italian race degenerating or coming up?—Oh, it is coming up.

*By Judge McDonald:*

18104a. Is there any statement you would like to make yourself further than you have made?—I would like to say something in reference to enforcing a prohibitory law. I think that the reason the Scott Act was not a success was that the people who advocated it thought that when it was passed it was not necessary for them to do anything further to enforce it. When I was in Bowmanville when the Dunkin Act was adopted,

th hotel-keepers took steps to make it as hot as they could for the people who voted for it. The first thing they did was almost to close the doors of their yards and stables for the accommodation of horses; and I believe that if the temperance party, before advocating or passing such a measure, had made preparations even to provide sheds where farmers could put their horses and wagons, that would have gone a long way towards preventing the repeal of the Act. Some years ago, a temperance hotel was started there, and the farmers would drive their teams into the yards and stable, and then go and get their dinner somewhere else, perhaps with their friends. Of course a temperance hotel cannot be made to pay in that way. The farmers said, "We have no accommodation for our horses; we haven't got this and we haven't got that," and they began to go against the Act, and the consequence was that it was repealed. That is the main thing. I found, that while prohibition is advocated, there is not sufficient preparation made to provide the accommodation required to take the place of the hotels. I would like to say, in reference to remuneration, in case a prohibitory law is passed, that I am entirely against remunerating brewers or anybody else. I cannot see how they can ask for it. When they started in that business, there was no bargain made that in case a prohibitory law came into force they should have remuneration; and the people that ask for remuneration have made enough money out of the business, some of them are millionaires. They have taken their own risk, and I cannot see how they can ask for remuneration. If the majority of the people of this country should decide that liquor is injurious to the health and the business and the morality of this country, and the Government so legislate, why should the brewer and the distiller claim to be remunerated. I do not think there is any principle in it. I do not think it would be honourable for any one to accept such remuneration. A man takes his chances to make money off the country, and if he cannot, he has to take the consequences, and abide by the decision of the majority. Another thing I might say about the loss of revenue. It is said that if people want prohibition, they should all study how that can be made up. I have often thought that the churches could do a great deal towards solving the difficulty, for instance, by deciding to pay taxes on all their property. If they came right out and said: "We will do that," the money so raised would go a long way towards replacing the revenue that might be lost by passing prohibition.

*By Rev. Dr. McLeod:*

18105a. Some churches do that?—I am glad to hear that one or two in this city have done that. Finally they will no doubt all do it. As to the misery created by liquor, I think nobody will deny that it does create misery, and it will do so more and more as the country grows. It is really amusing as well as sad that men who give evidence on this question should seem to have any doubt on that point, it is only, I suppose, because they have not sufficient experience. It has been stated here by men of great judgment that it is laziness that encourages drunkenness. My opinion as to that is really the reverse; I say that drunkenness encourages laziness. For a time in this city I had men working for me, tailors; and I think all mechanics will agree that as a rule drunkards are really the best mechanics; they can sometimes do more work in a day than a sober man will do in three. But the question is how to keep them at work; and the only way to do it is to keep a bottle of whisky on the table beside them. The fact is, when a man becomes a drunkard, he wants to be always near where the whisky is, to smell it or to see that it is there, whether he drinks it not. But if he goes into a shop to work, he knows that he cannot get any there, and he will be away from it all day. That is really the cause of so many neglecting work. But they are not lazy. If whisky were provided for them where their work is, and they could get a little without getting drunk, they would be the best workmen you could find. They are not lazy, as a rule, the naturally born lazy man does not drink. He is too lazy even to drink.

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MORTIMER CLARK, of Toronto, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

18106a. You reside in Toronto?—Yes.

18107a. You are a practising barrister?—Yes.

18108a. A Queen's Counsel?—Yes.

18109a. How long have you lived in Toronto?—Since 1859.

18110a. Have you had any experience of the working of a prohibitory law?—None, except in the State of Maine, where I have frequently been.

18111a. What was your experience there?—I have been in the habit of visiting the State of Maine almost every year for the last twenty-five or twenty-six. So far as I could make inquiries from year to year, the prohibitory law has very largely lessened crime and the misery that is usually the result of drunkenness, particularly in the country districts. I understand that a difficulty has been found in enforcing the law in seaports; but in the country towns I understand the law has been strictly enforced; and, so far as I can judge, it is more strictly enforced in the seaports now than it was in the beginning—that is, when the Act was first passed.

18112a. What has been your experience of the working of the license law in the city of Toronto?—I have not given the matter very much attention.

18113a. Are you able to say whether illicit sale prevails to any extent in Toronto?—I am not, from personal knowledge.

18114a. How about the observance of the Saturday night and Sunday provisions, prohibiting sale?—I have no experience in that matter.

18115a. Are you yourself favourable to the enactment of a prohibitory law, prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes?—I have not very fully considered the question. I fear it would be impossible to carry it out if it were passed. I do not think the moral sense of the community has been raised to such a point that it could be enforced. I should be very pleased to see a large number of the saloons and taverns in Toronto closed.

18116a. You think there are too many in Toronto now?—Undoubtedly; and if this agitation should lead to something of that kind, even if a prohibitory law were not passed, it would justify all the expense and trouble that has been gone to.

18117a. In case of the enactment of a prohibitory law preventing the manufacture, would you deem it right that breweries and distillers should be remunerated for plant and machinery rendered useless?—I think they should not.

18118a. Have you considered the question of revenue requirements, and how to make them good?—No, I have not. Of course, I think that if the welfare of the citizens and of the community generally would be promoted by a prohibitory law or any law, in restraint of the manufacture or sale of spirits, the question of revenue would be a secondary one.

*By Mr. Clarke :*

18119a. What is the position of the Presbyterian Church of Canada on this matter?—I do not think the Presbyterian Church as a church takes any action in the matter.

18120a. The General Assembly has taken some action, has it not?—I believe it has passed some resolution. I question if it is altogether within the scope of its constitutional jurisdiction to do so.

18121a. Is the Church not committed by resolutions to a certain line of conduct absolutely in favour of prohibition?—I do not think so. Of course, a very large number of the members of the Church, as individual members, would be in favour of it; but I do not think the Church would be prepared to take any action on it. I know that a number of the members would object to any action of the Church on the subject, that is to say, on the ground of not interfering with legislation on any subject, not on the ground of the benefit that might or might not arise to the community.

18122a. You know nothing of the operation of the Scott Act or the causes that led to its repeal?—No, only from what I have heard generally not any personal knowledge.



*By Judge McDonald :*

18123a. Is there any other statement you would like to make yourself?—No, I think not.

*By Rev. Dr. McLeod :*

18124a. Have you in your practice as a lawyer become aware of any of the injurious effects of the drink habit?—It is unfortunately the case that I meet with them constantly, and apparently they arise from the multiplicity of the licensed places in this city, and elsewhere, where drink can be obtained, which seem to be only temptations to workmen and others to drink and spend what they ought to take home to their families.

18125a. So that the drink habit, from your observation of it, is productive of these petty crimes, and more serious ones, and business difficulties and distresses?—And family troubles of all kinds. I have known ruin to be brought upon families in many ranks of life, traceable to no other cause.

18126a. Not among any particular class alone, but among all classes?—Amongst all, but particularly amongst the common people; but I have seen many cases of it in the higher walks of life, of a very distressing and painful character.

WALLIS FISHER, of Toronto, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

18127a. Where do you reside?—In Toronto, at 121 Spadina Avenue.

18128a. What is your occupation or calling?—I am a carpenter by trade.

18129a. How long have you lived in Toronto?—Twenty-four years.

18130a. Have you had any experience of the working of a prohibitory law?—Only during a short visit in Simcoe County, when the Scott Act was in force there.

18131a. What time of the year was that?—I cannot recollect. It would be in the summer holidays.

18132a. In what part of the county?—The southern part—Bradford and Cookstown.

18133a. How did you find things there?—I found that if you went into the side doors and gave them the tip, you could get what you wanted; otherwise, the bar was closed and the bottles empty.

18134a. What is your experience of the working of the license law in Toronto?—In some cases it is very well carried out. In other places, particularly on the outskirts of the city, it is very badly carried out.

18135a. There is sale on Sunday and Saturday night?—Yes; all day Sunday as well as on Saturday night. When I was canvassing on the Sunday car question, people who knew that I was working on these lines said they would be glad to see prohibition, especially to stop the sale of liquor that was carried on all day Sunday west of Spadina Avenue.

18136a. Have you called the attention of the Inspector to it?—No, but I am working along this line.

18137a. Would it not have been reasonable to have notified the Inspector?—Some of the parties have been summoned since then, and the penalty of the law enforced.

18138a. So that the evil may have been remedied?—Yes, in several cases.

18139a. Do you believe there is much illicit sale, without license, in Toronto?—Not to my personal knowledge.

18140a. Is there much sale to minors?—I believe there is. On the corner of Spadina Avenue and Camden Street, I have seen boys of sixteen carried away in a state of intoxication by older boys.

MORTIMER CLARK.

18141a. Were those in licensed or unlicensed places?—I could not say where they got the liquor. I have seen boys of sixteen, and under sixteen, going with a pail to get liquor. I have seen this walking along the street, and the Inspectors could see it for themselves if they walked along the street as I did.

18142a. Could the police see these things?—Yes, if they had their eyes open.

18143a. Are you yourself favourable to the enactment of a prohibitory law, prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes?—I am, decidedly.

18144a. Would you except from the operation of that law liquor needed for medicinal, mechanical and sacramental purposes?—Certainly, for mechanical purposes, the arts and sciences, it is necessary to have it.

18145a. But for medicinal and sacramental purposes?—Further than that I would not go. I do not think it is necessary for sacramental purposes.

*By Mr. Clarke :*

18146a. Would you allow the members of the different religious bodies to decide that for themselves?—Certainly. I would not like to be arbitrary in the matter. Personally, I would not have anything to do with it.

*By Judge McDonald :*

18147a. Nor for medicinal purposes either?—I think it has been shown that it can be done without.

18148a. In case of the enactment of a prohibitory law such as you favour, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—Only so far as the law requires them to carry a stock : I understand that they have to carry two years stock. Further than that I would not go, because they have put their capital into the business and have taken the risk themselves and have made millions out of it. We did not ask them to take the risk. I think the State has no more right to compensate them than it would any other men who failed in business.

18149a. It is put forward by some that those people are not failing in business, but that the law puts them out?—But the law does not allow a man to steal. Some men make a living by stealing : that is their choice.

*By Rev. Dr. McLeod :*

18150a. You come in contact a good deal with mechanics, being a carpenter yourself?—Yes, I have in times past.

18151a. Have you observed the effect of the drink traffic and drink habit upon mechanics generally?—Yes, in my own calling I have. Some of the smartest men we have, but for the liquor habit could make bigger wages than they do.

18152a. Have you observed what connection there is between the legalized sale and the habit they are under?—They acquire the habit from the legalized places. Young men are enticed to these places, and they like to be sociable. I have been there myself though I have never tasted liquor in my life.

18153a. Have you observed that a good many of these young men, who drink more or less because of their associations and the influence of the bright bar-room upon them, would be very glad if these facilities for drinking were removed?—They would. They have told me that though they drink themselves, they would vote for prohibition, because they would not go up a back lane or do anything underhand to get liquor.

*By Judge McDonald :*

18154a. If men of that stamp could resist going into a place by a side door under prohibition, why do they not resist going in now?—Because they like to be social with the young men who invite them in to have a drink. It is not a liking for liquor that takes them in.

18155a. They could break off if they chose?—They could in some cases, until the habit grows on them.

18156a. In the case of those you speak of, you think their sociability would not lead them to go into the side doors if we had prohibition?—No.

*By Rev. Dr. McLeod :*

18157a. Have you found the habit of total abstinence increasing among young men?—Yes, particularly among the volunteers with whom I am associated.

18158a. What regiment?—The Governor General's Body Guard.

18159a. Do you go into camp?—Yes.

18160a. Have you a canteen in camp?—No. It was abolished by order in every regiment in Canada.

18161a. I suppose you have noticed more or less abuse on account of drink at camps?—Yes.

18162a. And I suppose that is the reason why the abolition has come about?—I presume so.

*By Judge McDonald :*

18163a. Is there any further statement you would like to make yourself?—Only that I have been connected with church work and the work of ministering to the necessities of the poor, and I find almost invariably that the people who need assistance are people who directly or indirectly have to do with drink.

*By Mr. Clarke :*

18164a. Do you find that want of work has to do with drink?—I find that the drink habit is the reason that they get out of work.

18165a. Do you think that if these people could find employment, they would be as apt to drink?—No. That is one reason why I want it done away.

*By Rev. Dr. McLeod :*

18166a. Have you observed whether lack of employment causes men to drink or drink causes the lack of employment in the larger degree?—Drink makes the lack of employment in a larger number of cases. I think it would counterbalance the other.

18167a. The man who is not accustomed to drink is not likely to do it because he is out of employment?—No.

H. H. SHAVER, on being duly sworn deposed as follows :—

*By Judge McDonald :*

18168a. Where do you reside?—In Toronto township, in the County of Peel.

18169a. What is your post office?—Dixie.

18170a. What business are you engaged in?—I was in farming. I have not been in business during the past year.

18171a. You are a retired farmer?—Yes.

18172a. Have you had any experience of the working of a prohibitory law?—No.

18173a. In the County of Peel you have the Crooks License Act, I suppose?—Yes.

18174a. Are there many taverns or licensed houses in the township of Toronto?—Eleven.

18175a. Are there any villages in that township?—There are several villages—Dixie, Crooksville, Somerville, Streetsville.

18176a. Are the taverns mostly in these villages?—Yes, there is a tavern in every one of them.

18177a. How are the provisions of the law carried out as to not selling on Saturday night and on Sunday?—I am not prepared to say, only from what I have heard. I have understood that liquor can be bought in every one of them on Sundays and Saturday nights.

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18178a. Have you reason to believe there is sale in the township by people who have not a license?—I do not know about that.

18179a. Are you troubled there at all with sale to minors and drunken men?—Yes.

18180a. Has the attention of the officials been called to these breaches of the law?—Yes.

18181a. What do they do about them?—They do not seem to do anything.

18182a. Are you yourself in favour of a prohibitory law to prohibit the manufacture, importation and sale of intoxicating liquors for beverage purposes?—Yes.

18183a. Would you make an exception of liquors needed for medicinal, mechanical and sacramental purposes?—I would.

18184a. In case of the enactment of such a law, would you allow farmers to make wine out of their grapes and cider out of their apples for their own use?—I do not think I would. There is no need of it.

18185a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I would not. They have every reason to believe that there will be a prohibitory law; they can see that the sentiment in favour of it is growing; and they have gone into the business knowing this.

18186a. We have been told of one distillery in the city that began in 1832; had the owners of that much notice?—I think they had.

18187a. You think they had notice even then?—Yes.

*By Rev. Dr. McLeod:*

18188a. Have you given some attention to the revenue side of this question?—I have a little.

18189a. What are your views? You know it is claimed that there would be a serious loss in the revenues, and that the country would be impoverished by prohibition? I think it is a mistake. Taking the figures of the Government statistician, we find that about thirty million dollars are spent in liquor. That would provide homes worth about \$300 a year for about 6,000 families, or worth \$600 a year for 3,000 families; and I think money expended in that way would produce a better state of affairs.

18190a. You think that if the money that goes into the liquor traffic at present were expended in other ways, the tax-paying power of the people would be increased?—Yes; I think the revenue of the country depends altogether on the wealth of the country, and wealth is not produced by drinking whisky.

18191a. Have you noticed the effect of the drink traffic on the farming community?—Yes. We have so many hotels that a good many farmers will neglect their business and loiter around hotels; and often the owner of the farm cannot get his rent, and the farm goes to wreck; weeds are allowed to grow; and the man does not provide even for his family.

18192a. The statement is put forward that unless the present market for barley and hops continues—the market afforded by the liquor trade—the farmer would be very seriously crippled. Have you given any attention to that matter?—So far as I am concerned, I was a farmer, and I have been a prohibitionist for twenty years, and I was just as strong on that line ten years ago as I am now. I do not think that dollars and cents should be taken into consideration on a moral question.

18193a. Did you grow barley?—No.

18194a. Or hops?—No.

18195a. From your experience as a farmer, do you think the liquor trade is necessary to the success of the farmer? If he could not sell his barley to the liquor trade, could he use it for feeding purposes?—Yes, to greater advantage to the country and himself.

18196a. Then, you think the barley side of the question does not make absolutely necessary the continuance of the traffic to the farmer?—No, the other way.

18197a. Have you come in contact with the people sufficiently to form an idea of the degree of the distresses of various kinds caused by this drink traffic in homes generally?—I see it continually. I know several cases in my own township where the absolute necessities of life are not provided because the money is spent in the hotel.

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18198a. And you would hope, in the removal of the traffic, to see the removal largely of these deplorable conditions?—Yes, that is my idea. I was reading the other day of a certain man who had been paid \$700 in new bills, which were secretly marked, and the next morning \$400 of the same bills were put into the banks by hotel-keepers, showing that they had got the larger proportion.

*By Judge McDonald :*

18199a. Is there any further statement you would like to make yourself?—No.

HENRY SUTHERLAND, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

18200a. Where do you reside?—In Toronto.

18201a. What is your occupation?—Manager of the Temperance and General Life Insurance Company.

18202a. How long have you held that position?—Three years and a half.

18203a. Is there any special provision in your charter or constitution and by-laws?—Our charter compels us to classify the risks into abstainers and non-abstainers.

18204a. Have you a statement you would like to put in?—When I was asked to come here, I said that I had not given much attention to the subject generally, except in connection with life insurance. The gentleman who called on me asked me if I would prepare a statement on that subject, and I have done so. My reason for preparing it was that I expected to send it to you by mail.

(The witness then read the statement—Appendix No. XII.)

*By Rev. Dr. McLeod :*

18205a. Some time ago I saw a statement in a New York paper, either by you or by some person connected with your insurance association, or with a kindred one in Great Britain, setting forth the advantages of the conditions you make in reference to the drink habit. Is it similar to the statement you have just made?—I never heard of that statement until last evening. If it was my production, it was not given by me to the paper. Of course, I have written a good deal on the subject.

*By Judge McDonald :*

18206a. Taking the number of people insured with your company, are the larger number total abstainers?—We have about twice as many total abstainers as the number in the general class.

18207a. Are the risks kept separate in making up the calculations?—Yes. Our charter compels us to keep them entirely separate for all purposes.

18208a. Are you, as an individual, in favour of a prohibitory system under which the manufacture, importation and sale of intoxicating liquors would be prohibited for beverage purposes?—I am.

18209a. In case of the enactment of such a law, would you except from its operation liquors needed for medicinal, mechanical and sacramental purposes?—I would, and would put them under proper restraints as to sale.

18210a. Would you have them in the hands of the Government or of private individuals?—The Government.

18211a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I don't think I would.

18212a. In case of the enactment of such a law, would you favour allowing farmers to make cider from their apples and wine from their grapes, for their own use?—I do not think I would interfere with that.

H. H. SHAVER.

18213a. It is the traffic you propose to deal with?—Yes, the traffic I propose to prohibit.

18214a. Have you had any experience of the working of a prohibitory law?—I cannot say that I have. I have been always so busy that I have not been able to give the matter any particular attention. I had a slight experience once when I had a brief holiday.

18215a. Where was that?—In Middlesex County. I canvassed a section before the vote on the Scott Act was taken, and a number of men who were in the habit of taking liquor said that if it were not sold openly they would not take any.

18216a. Is there any further statement you would like to make?—No.

*By Rev. Dr. McLeod :*

18217a. You do not recollect the statement I refer to?—No. I have not written anything for that paper, though it may have copied it from something I have written. The paper may have copied something that I have written for my own company. The table that our company has issued has been used by temperance people from time to time. I went direct to headquarters to get the information and have it verified, and this is my own compilation, and I believe it is correct.

REV. WILLIAM L. SCOTT, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

18218a. Where do you reside?—In Toronto.

18219a. Of what church are you a clergyman?—The Methodist church.

18220a. Of what particular church in the city?—I am now retired.

18221a. Did you receive a circular from the Commission some time ago containing questions which you were asked to answer?—Yes.

18222a. Did you answer it?—I think I did.

18223a. You know the declaration on the question of prohibition made by the Methodist Church in Canada at the General Conference held at Montreal in the fall of 1890?—Yes.

18224a. Do you personally concur in the declaration?—I do.

18225a. Have you had any experience of the working of a prohibitory law?—Some slight experience. I have had a limited experience of the Dunkin Act.

18226a. In what county?—In the County of Peterborough. It was in force in the township of Otonabee.

18227a. How long was it in force there?—I could not say. It was in force when I left there.

18228a. You do not know whether it is in force there now?—No.

18229a. Was it beneficial in its results?—Yes.

18230a. Was there illicit sale?—There were places where liquor could be got; so I was told.

18231a. Was that illicit sale by people who had previously been in the business?—I think it was.

18232a. Do you know whether any new persons went into the business?—Not to my knowledge.

18233a. You think it was promotive of temperance in the community?—I think it was. Of course, it was a limited area.

18234a. How near were you to places where there were licensed houses?—Perhaps from where I lived five or six miles.

18235a. What was the place—Peterborough?—Peterborough was twelve miles away.

18236a. Had you experience of a prohibitory law elsewhere than in that township?—Yes, in the County of Simcoe.

21—75½\*\*\*

18237a. What law was that?—That was the Scott Act.

18238a. How did it work?—It lessened largely the use of intoxicating liquor. Of course, it was not strictly kept.

18239a. In what way was it not strictly kept?—In so far as my observation went, those engaged in the sale of intoxicating liquors considered their business interfered with, and went in to sell whether or no.

18240a. Did any new people go into the business in that county?—I do not think so; not to my knowledge.

18241a. You yourself favour the enactment of a prohibitory law for the whole Dominion, I understand?—Oh, I would certainly.

18242a. A law that would prevent the importation, manufacture and sale for beverage purposes?—Yes.

18243a. Would you make an exception in favour of liquors needed for medicinal, mechanical and sacramental purposes?—For mechanical, I would. For myself, I do not think it is useful for medicinal purposes. Certainly not for sacramental purposes.

18244a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—No.

18245a. In case of the enactment of such a law, would you allow farmers to make cider from their own apples or wine from their grapes for their own use?—Personally I would not be in favour of that, because I think cider, so far as I have seen the effects of it, causes, about as mean a drunkenness as a man ever feels.

18246a. Speaking as a pastor, have you seen much misery caused by drunkenness in communities or families?—I have seen a very great deal of it within the thirty-five years of my pastorate in families and homes in every place where I have been.

*By Rev. Dr. McLeod:*

18247a. Your ministry was entirely in this province, was it?—With the exception of three years that I was in the Province of Quebec, in the city of Three Rivers.

18248a. I suppose a license system obtained there?—Yes.

18249a. Was there a good deal of drinking there?—A great deal of drinking. The Frenchmen were fond of being merry.

18250a. You have lived in a good many places where license law prevailed?—Oh, yes.

18251a. Have you observed whether as a rule licensees observe the prohibitive features of the license system?—I never went to those places or waited around to see if I could see any illicit traffic, but from information obtained from those in a position to know, I think there has been a very great deal of illicit traffic; that is, in prohibited hours. That is my general impression.

18252. In all your experience of thirty-five years or more, coming into pretty close touch with the people in their home life, do you know of any one thing which has been productive of the same amount of domestic trouble and neglect of children as the drink traffic and the drink habit?—Not any one thing; and scarcely all other things put together are the cause of so much trouble.

18253a. And did you find that the drink traffic was a constant interference with your work?—It was in many respects, especially in the case of persons who were persuaded to try to reform, and made a profession of reformation and wished to lead a Christian life. It was always a difficult matter to keep them in the church, because the Methodist Church is a prohibitive church—a total abstinence church.

18254a. You found that those people, however sincere their profession of reformation or their desire to continue in right living, were constantly tempted by the open drink shop?—Yes, a great majority of them.

18255a. Is there any statement you would like to make in a general way?—From my observation, the failure both of the Dunkin Act and the Scott Act was due to the fact that there was no regularly appointed power to enforce the law. It was left to private temperance people. That was a part of the business many of us felt we could not undertake. It was a risk, and if we failed, there was no way to re-imburse one.

Rev. WILLIAM L. SCOTT.

18256a. You think the lack of proper machinery was one of the reasons?—That was the reason why the law was not better enforced.

18257a. And yet I understand you to believe that notwithstanding only partial enforcement, good results followed the law? Oh, certainly. That was a matter of fact all over the country where the Scott Act was adopted; the traffic was curtailed, and drinking and crime were proportionately less.

*By Judge McDonald:*

18258a. You think that the repeal of the Act was owing to the fact that temperance people in favour of it found too great a burden thrown upon them in the way of enforcing it, taking up their time and putting them to expense?—Very largely.

18259a. Did you find that the officers needed constant pressure to get them to do their duty?—So I was told by those who went to them and made complaints.

18260a. We find that there is a certain amount of cross-statement; the officials tell us that they did their utmost, but that they did not get the support of the community, while the temperance people say that the burden was thrown upon them, and that it was the officers who were lax in enforcing the law. From your experience what would you say?—I think that perhaps a large majority of them did their best: but when a case came before a court, even if it was the sixth or eighth against the same party, it was almost always treated as the first offence.

18261a. How was that state of things brought about? The magistrate would treat it so.

18262a. Did the officer lay it as a second or third offence, or did he lay it as a first one?—I am not personally cognizant of that. But I know cases where the third offence was treated as the first.

18263a. The question is, who was to blame?—I could not say who was at fault,

18264a. Is there any further statement you wish to make?—No.

Judge McDONALD asked if there was any other person present who wished to give evidence before the Commission. No person responding, he declared the present sitting closed, and the Commission adjourned.



MONTREAL, March 2nd, 1894.

The Royal Commission on the Liquor Traffic met here this day.

*Present:* Sir JOSEPH HICKSON, Chairman, presiding.

JUDGE McDONALD.

REV. DR. McLEOD.

E. F. CLARKE.

MR. G. A. GIGAULT.

LOUIS F. KRIBS, of Toronto, journalist, on being duly sworn, deposed as follows:—

*By the Chairman:*

18265a. Have you any statement to make to the Commission?—I have here a printed statement which I present to the Commission, and they can use such portions as may be thought proper to be incorporated in the evidence.

The CHAIRMAN: Perhaps the best course to adopt would be to allow Mr. Kribs to read this document with the understanding that it is not necessary that the whole of it should go upon the record.

Mr. CLARKE. If it is read, it should go upon the record.

The CHAIRMAN. Mr. Kribs has put it in with the understanding that we may use as much of it on our record as we think proper. That is what I understand him to say.

Mr. KRIBS: That is right.

Rev. Dr. McLEOD: The Commissioners will no doubt recall the fact that early in our work, or in making preparations for our work, it was decided that there should be no advocacy by representatives on either side of the question before the Commission. The privilege was asked both by Mr. Kribs and by Mr. Spence, and it was decided that it would not be granted. I have not had time to examine fully into this printed statement, having had it under my eye for only five or ten minutes, but I should say from a hasty examination of it that it is largely advocacy. If so, I have no objection at all to its admission in that form, as a plea or as an argument. I should say, however, that the representatives of the other side of this question should have a like privilege accorded.

Mr. CLARKE. I desire to ask, Mr. Chairman, if Mr. Spence was not before the Commission?

The CHAIRMAN. Yes.

Mr. CLARKE. He and Mr. Kribs accompanied the Commission throughout most of the investigation. Did not Mr. Spence make a statement to the Commission in Toronto? What is the nature of that statement—I was not present—was it an appeal in favour of prohibition?

The CHAIRMAN. It was given in the shape of evidence, but if I must express my candid opinion it was very much in the nature of a speech in favour of prohibition.

Mr. CLARKE. There were other speeches made, practically, or statements by gentlemen who came before the Commission and favoured prohibition, and they amounted to arguments. If Mr. Kribs is permitted to come before the Commission and make a statement, he should have permission to read this as his statement if he desires to do so.

The CHAIRMAN. No. My idea is that Mr. Kribs has put in this report with the statement that the Commissioners may use so much of it as they think proper; that they need not necessarily put it all on the record unless they so determine.

LOUIS P. KRIBS.

Mr. CLARKE. It would be a great pity if the view were permitted to go abroad that Mr. Kribs has been given a privilege not accorded to anybody else. I merely ask the question, did Mr. Spence and Mr. Carson make pleas and put them in.

The CHAIRMAN. I can answer in regard to Mr. Spence. Mr. Carson did not. Mr. Spence made several long statements by way of answering questions, but in effect I considered they were speeches in favour of prohibition, an advocacy of prohibition.

Mr. CLARKE. If Mr. Kribs is permitted to read this statement, is he given any privilege that has not been accorded to others?

The CHAIRMAN.—No. I wanted to get over the difficulty that Dr. McLeod has raised. We do not desire to have advocacy either on one side or the other. As a matter of convenience I think the best course to adopt is to allow Mr. Kribs to read the statement, but that it shall not necessarily be all put on record. That will be a matter for discussion for the Commissioners afterwards. I made that suggestion altogether to get over the difficulty.

Rev. Dr. McLEOD.—Why should you exclude any witness's statement?

The CHAIRMAN.—I think there are some parts that might probably be omitted, but that would be a matter for discussion by the Commissioners, and it would be determined according to their decision. I think so, for this reason, that some of the statements are in the nature of advocacy, which is the very point you have raised, Dr. McLeod. I have not been able to read right through the paper myself, although I started on at four o'clock this morning. It is to meet the very point raised by Dr. McLeod, that I make this suggestion. I do not know whether any Commissioner has any other suggestion to offer; if so I shall be very glad to hear it.

Judge McDONALD.—It seems to me the point is this: The book is handed in to be used in such manner as the Commissioners may determine. I desire to get on the record of the evidence a good many of the facts set out in it, and I wish these statements to go in, not in the shape of a report, but to go on the record in the ordinary way as facts to which Mr. Kribs can testify, and as things which Mr. Kribs has seen, and as to which some of the witnesses have testified or may yet testify. I should propose this, that where Mr. Kribs has accompanied the Commissioners through the United States or elsewhere, he should be asked to state what he saw in the different places, and thus get his testimony on the record in the ordinary way with the other evidence. Then let us use this book for our own information, just as we did in regard to papers put in either by Mr. Spence or other witnesses—we received them and made such use of them as we pleased afterwards, but they did not go on the record.

Mr. CLARKE.—But Mr. Kribs in this statement makes certain declarations in regard to the administration of the law, for example, in Nova Scotia, New Brunswick and Prince Edward Island. This statement would be in a different position from a paper handed in by Mr. Spence.

Judge McDONALD.—The statement need not necessarily be put in evidence, but having it before us, for example, I could proceed with the examination of Mr. Kribs and ask him to state what he knew in regard to Nova Scotia. Then there is a great deal of statistical information contained in the statement.

The CHAIRMAN.—The only difference between my suggestion and the suggestion made by Judge McDonald is that Mr. Kribs would necessarily want to read from this documents statements of facts which he could not remember.

Judge McDONALD.—I shall not suppose that he could remember all the facts in this statement, but he might refresh his memory by referring to it.

The CHAIRMAN.—Necessarily, because he could not carry in his memory the mass of figures it contains. There are long statements which appear to have been carefully prepared on different subjects. Perhaps, however, the suggestion made by Judge McDonald is the more technical and correct way of proceeding—to admit only such portions of the statement as can be admitted as evidence.

Mr. CLARKE.—Mr. Kribs deals with all the matters referred to the Commission. First, he deals with the traffic in Canada, he afterwards speaks of the numerous industries that have been created and that exist on account of the traffic, and he gives statistics. I notice on page 15, under the head of prohibitory measures, he deals with the

second instruction given to the Commission : " The measures which have been adopted in this and other countries with a view to lessen, regulate or prohibit the traffic."

Judge McDONALD.—There is a work referred to in your statement—Liquor Laws in the United States. Do you propose to submit that book ?

Mr. KRIBS.—I have a number of documents which I will lay before the Commissioners.

Mr. CLARKE.—The statement commences with Nova Scotia, and Mr. Kribs goes on to give the result of his observations in Nova Scotia, New Brunswick and so on.

The CHAIRMAN.—We have allowed other witnesses to make statements. We have asked Mr. Kribs to make a statement, and we can stop him at any point where he diverges into matters that are not evidence and are not within the scope of this inquiry. Is that not the proper course to pursue ?

Mr. CLARKE.—I think so.

Rev. Dr. McLEOD.—Certainly, I hope the Commission will not misunderstand me. I am not objecting to Mr. Kribs saying anything that is in his mind ; whatever he has to say let him say. I want every man to have the fullest opportunity to express his opinion.

Judge McDONALD.—I formed the same opinion as did the Chairman in regard to Mr. Spence's evidence. I felt at least in regard to one part if not in regard to other parts, that he was simply making what seemed to me to be a prohibition speech, one fit for a prohibitionists' platform. So Mr. Kribs might make an excellent speech on the anti-prohibitionists' platform.

Rev. Dr. McLEOD.—Is it improper and not admissible for a man to introduce a fact in his evidence that might be used on the platform or elsewhere ?

Judge McDONALD.—No, if Mr. Spence had confined himself to facts, but he went outside of the inquiry half the time.

Rev. Dr. McLEOD.—I know several witnesses in giving small statements did not confine themselves to facts.

Judge McDONALD.—Certainly ; but they did not make prohibition speeches, they only expressed their sentiment and view.

*By the Chairman :*

18266a. Mr. Kribs, you have been employed, I understand, by a certain interest to study this question of the liquor traffic and to follow the proceedings of this Commission on behalf of the brewers and distillers and others engaged in the traffic of this country ? —Yes.

18267a It was an official engagement I suppose ?—It was an official engagement.

18268a. The Commissioners are now prepared to hear any statement you may wish to make.

Rev. Dr. McLEOD.—I do not think this document should form part of the testimony.

The CHAIRMAN.—Mr. Kribs may use it to assist him in making his statement.

Mr. GIGAULT.—I think it should be read.

Mr. CLARKE.—Certain questions have been submitted to the Commission for it to report upon, and Mr. Kribs proposed to make a statement from his standpoint respecting those questions and the matters which have been referred to the Commission. I would suggest that he commence at question No. 1 and make a statement respecting it, presenting any facts or figures that may have come within his knowledge.

The CHAIRMAN.—Mr. Kribs has the whole subject before him. We have given him the privilege of making a statement. If he would rather be interrogated I will ask him questions, but he is very familiar with the subject, and he has the opportunity of making a statement. If he should deal with matters not pertinent to the inquiry, it is an easy matter to tell Mr. Kribs so.

Mr. KRIBS.—I should prefer to start with question No. 1.

Mr. GIGAULT.—If Mr. Kribs is going to read his report with our permission, would it not be better for him to sign the report and file it.

Rev. Dr. McLEOD.—And let us read it ?

LOUIS P. KRIBS.

Mr. GIGAULT.—Mr. Kribs can then say, this report contains my evidence. I think Mr. Kribbs should first sign the report with his own signature and file it with the Commission.

The CHAIRMAN.—He has put it in under oath and has handed it to the Commission.

Mr. GIGAULT.—If he signed it that should be proof of its authenticity.

Mr. KRIBS.—I have no objection to sign it.

Judge McDONALD.—There is no doubt a great deal of statistical information in it which we already possess.

Rev. Dr. McLEOD.—We have some of the statistical information, three or four times, but it is not gathered in this form.

Mr. KRIBS.—If the Commissioners prefer that I should sign this report, I have no objection to that.

Mr. GIGAULT.—It is stated in the report that we have seven distilleries in Canada. Should Mr. Kribs be allowed to say that?

Mr. CLARKE.—He is going to make a general reply. The first question is: The effects of the liquor traffic upon all interests affected by it in Canada.

Rev. Dr. McLEOD.—As the official representative of the liquor interest, he is to make his argument on that statement.

The CHAIRMAN.—A statement on that, as on other points, of the inquiry.

Rev. Dr. McLEOD.—You said he was to reply. I have no objection to his doing so. But the Commission decided at the outset of this inquiry that this should not be done.

The CHAIRMAN.—Nobody is proposing to do it.

Mr. CLARKE.—Mr. Kribs is entitled to make a statement, and he could make it from his standpoint in answer to question.

Rev. Dr. McLEOD.—I am perfectly willing that he should do so, but if that privilege is granted to him, then the representatives of the other side should be given a like opportunity.

Mr. CLARKE.—He has been given the same opportunity. If he is disposed to do so, let him do it. There was no objection taken to Mr. Spence's statement, why should objection be taken to Mr. Kribs making a statement.

Rev. Dr. McLEOD.—There is no objection taken.

Judge McDONALD.—My objection stands, and I take the same objection now as I did a little while ago. We find the first fifteen pages of this statement are taken up with matter, some of which Mr. Kribs could not prove from personal knowledge.

Mr. KRIBS.—I profess to have personal knowledge of every statistic that is in that report.

Mr. CLARKE.—I move that Mr. Kribs proceed to make a statement, if he has one to make. Let the book be put aside as never having been presented to the Commission, and let us hear his statement.

Judge McDONALD.—The book is given for the Commissioners to make such use of it as they may think proper.

The CHAIRMAN.—It is handed in with his evidence.

Judge McDONALD.—I cannot consent that it should go on the record of evidence.

Rev. Dr. McLEOD.—I differ as to my understanding of this matter. I do not understand this is a book to make such use of as we are disposed to make, but as Mr. Kribs' statement of his observation and of statistical matter.

The CHAIRMAN.—Mr. Kribs distinctly stated when he handed in this book which he had prepared that the Commission should use such parts as they thought proper. Is that your statement, Mr. Kribs?

Mr. KRIBS.—Yes.

Judge McDONALD.—Otherwise, I should decidedly object. If Mr. Kribs was simply allowed to hand in a book, any other witness might come forward with a book and ask that it be accepted.

Mr. CLARKE.—I move that Mr. Kribs be asked to make a statement respecting the first question referred to this Commission, namely, the effects of the liquor traffic on all interests affected by it in Canada.

Motion agreed to.

Mr. KRIBS.—The first question submitted for consideration in Her Majesty's Commission, viz.: 1. The effects of the liquor traffic upon all interests affected by it in Canada is so broad as to be somewhat indefinite. However, the first effect of the traffic is, I take it to be, the establishment of an enormous industry throughout the Dominion. I have spent a good deal of time, hard work and money in an endeavour to take such a census of the trade as will give us accurate and reliable data in this respect. I took for the purpose the fiscal year ending June 30, 1892, and have to submit the following results:—

There are seven distilleries in Canada to be found in the Inland Revenue divisions of Toronto, Windsor, Prescott, Guelph, Belleville, Hamilton and Halifax. In some of the succeeding statements reference will be found to the Perth division as well. This will only be, however, where comparisons are made over a term of years—the Perth manufactories being but very small concerns. Having, first, then reference to the product of these establishments:—

The following is a memorandum showing quantities of spirits manufactured in the various Inland Revenue divisions of Canada from the 1st of July, 1882, to 30th June, 1892; being a period of ten years.—

	Gallons.
Toronto.....	19,920,570.50
Windsor.....	15,188,535.98
Prescott.....	4,905,536.63
Guelph.....	2,529,773.48
Belleville.....	1,379,402.99
Hamilton.....	1,036,479.68
Perth.....	128,491.18
Halifax.....	757,025.10
Miscellaneous.....	46,941.48
	<hr/> 45,892,757.02

Of which the following quantities were manufactured during the year opposite to them:—

	Gallons.
Year ending 30th June, 1883.....	4,281,207.68
“ “ 1884.....	4,207,575.84
“ “ 1885.....	3,579,332.17*
“ “ 1886.....	4,355,736.23*
“ “ 1887.....	5,119,506.33*
“ “ 1888.....	5,514,589.03*
“ “ 1889.....	5,847,508.40*
“ “ 1890.....	5,091,475.43
“ “ 1891.....	4,397,594.40
“ “ 1892.....	3,498,231.51
	<hr/> 45,892,757.02

*By the Chairman:*

18269a. Permit me to ask you if any alteration was made in the excise duties during those years?—Yes, I am going to speak of that immediately.

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\*Scott Act Years.

LOUIS P. KRIBS.

18270a. Was it not \$1.18 in 1885, the first Scott Act year?—Yes. It went up to \$1.30 in 1886, and in 1891 it was raised to \$1.50.

18271a. Then it continued at \$1.30 from 1886 down to the Scott Act year?—Yes, down to 1891, when it was raised to \$1.50 per gallon.

The amount of gallons of spirits entered for consumption from the distilleries during the term of years was as follows:—

	Gallons.
Duty \$1.00, 1882.....	2,851,512.45
“ 1883.....	3,092,175.19
“ 1884.....	3,000,491.96
“ 1885.....	3,888,012.08
Duty \$1.30, 1886.....	2,412,818.04
“ 1887.....	2,864,935.20
“ 1888.....	2,326,326.99
Duty \$1.30, 1889.....	2,960,446.75
“ 1890.....	3,521,193.96
Duty \$1.50, 1891.....	2,687,664.28
“ 1892.....	2,545,934.73
Total for eleven years.....	32,151,711.36
In ten years.....	29,300,198.91
An average of.....	2,930,019.00
In five years.....	14,041,566.43
An average of.....	2,808,313.29

*By Mr. Clarke :*

18272a. What point do you want to establish by making that statement?—The point I wish to make is that there is actually a decrease in the consumption of spirits of Canada since the outgoing of the Scott Act, compared with the five years the Scott Act was in force. I am not going to say that it was due to the Scott Act, but I am simply pointing to a fact. The deduction can be drawn by the Commission.

Allow me here to direct attention to the fallaciousness, if not the actual dishonesty of an argument frequently advanced by Ontario prohibitionists, and made to do duty even within a few months. It is the statement that in 1886, when the larger number of counties in Ontario were under the Scott Act, the amount of liquor taken out of bond for consumption was a million and a half of gallons less than in 1885. Not long ago a prominent temperance editor placed the decrease at 1,900,000 gallons. We will suppose that he had not himself looked up the figures. No argument is needed in refutation; the change in the duties is ample explanation. But one is led to wonder why these good gentlemen never happened to compare the figures of 1887 with those of 1886, when the same number of counties were under the Scott Act.

Judge McDONALD.—This statement may be very well if a person has not looked up the figures; it might do very well in a book, but there is no necessity for its appearance on the record.

Mr. CLARKE.—It is not in a book. I do not think it is a matter about which we should ask the witness.

Rev. Dr. McLEOD.—Why should he not make that statement?

Judge McDONALD.—It is not evidence.

The CHAIRMAN.—The point is an important one.

Judge McDONALD.—I am speaking of the manner in which it appeared. If Mr. Kribs simply said that the decrease was 1,900,600 gallons, without comment, and without referring to the motives of any one, the case would be different.

Mr. KRIBS.—I note that. In the next sentence I say that I wonder why these good gentlemen never happened to compare the figures of 1888 with those of 1886, when the same number of counties were under the Scott Act.

Mr. CLARKE.—So one sentence hangs on the other. Do you, Mr. Kribs, request that the sentence referring to the fact that these people have not looked up the figures should be struck out?

Mr. KRIBS.—Yes.

The stocks of spirits held in warehouse all over the Dominion from the year 1882, year ending 30th June, to the present time, were as follows:—

	Gallons.
Duty \$1.00, 1882.....	1,642,577.32
“ 1883.....	1,841,123.05
“ 1884.....	2,201,034.27
“ 1885.....	1,242,196.82
Duty \$1.50, 1886.....	2,832,474.25
“ 1887.....	4,563,977.42
“ 1888.....	7,423,207.70
“ 1889.....	9,948,182.30
“ 1890.....	11,090,179.17
“ 1891.....	12,415,785.98
“ 1892.....	12,836,079.48
“ 1893.....	13,502,814.00

Here I beg to direct attention to the enormous increase in the stocks held by the distillers owing to the aging laws, and to once and for all set at rest the insinuation that the latter was a device of the large distillers to squeeze out the small fry. As to this latter there is no truth whatever.

*By Mr. Clarke :*

18273a. Have the firms of Gooderham & Worts and Messrs. Walker stopped making whisky for the present?—No.

18274a. I understand that Gooderham & Worts are not making any whisky now!—They shut down for six months, but the Messrs. Walker are still running.

Mr. CLARKE.—Mr. Kribs has made the statement, in refutation of the argument that this Governmental provision was intended to squeeze out the small and favour the large distillers, and thus give a monopoly of the business; that in-so-far from it having had that effect there had been on the contrary one distillery established and none have ceased working. I repeat, none have ceased working.

Mr. KRIBS.—This last statement is dated December, 1893. I did not refer to the status at this moment.

*By Mr. Clarke :*

18275a. As a matter of fact has there not been an over-production of whisky, and as a result is less being produced?—Yes. At the present moment the largest distillery is not in operation, but that is the same as any other industry, operations ceasing for a time in order to equalize the amount of stock on hand with the sales going on. It is not to be taken as indicating in any way that ceasing operations for a time means in any sense a discontinuance of the trade.

*By the Chairman :*

18276a. Your figures show that there was a very large increase in the stocks of 1887. When did the aging law go into force?—In 1886 I think the law passed—I am speaking now from memory—and it went into force in 1887. I can, however, ascertain that definitely.

*By Mr. Clarke :*

18277a. Does that account for the rapid increase in the stock in the warehouse?—Undoubtedly.

LOUIS P. KRIBS.

*By the Chairman :*

18278a. That led, of course, to a very much larger manufacture of spirits immediately?—Decidedly.

18279a. And a very much larger consumption of grain and materials of all kinds in the manufacture?—Undoubtedly.

18280a. And that went on down to 1890?—Yes, and in fact is going on to a certain extent yet.

18281a. Are they increasing stocks at the present time?—They have ceased operations in consequence of the stocks having become so enormously large—that is up to this summer.

18282a. My point is this: Have the distillers reached the maximum production now?—Apparently they have.

*By Rev. Dr. McLeod :*

18283a. How is it the production has outrun the consumption? Did the distillers produce much more whisky than usual, or is it that the demand has fallen off?—The aging law led to a change in the customs. Aged whisky began to be drunk, that is five, six or seven year old whisky, and under the present law the Government places a stamp on the bottle, guaranteeing its age. It is very difficult now for a manufacturer to tell how much he will have to manufacture this year, so as to have at some future date, say seven years from now, a certain supply of seven year old whisky. They have to continue manufacturing in a large quantity in order to keep the stocks regular.

18284a. So the demand has not lessened?—No. I shall submit some figures on that point directly. I will not say they have produced recklessly, but during the last six or seven years they have had to manufacture not only for present need but to accumulate stocks of aged whisky. Seven years ago they had to manufacture whisky, which is now, of course, the seven year old whisky.

18285a. Have they not always done that?—Only of late years has the sale of aged whisky been anything like what it is now; it has only been since the Government adopted the system, and a very excellent system it is, of putting its own stamp on the goods, guaranteeing the age, that we have had any great sale of aged liquors.

18286a. That is a Government guarantee, not a distillers' guarantee?—It is a Government guarantee.

*By the Chairman :*

18287a. That is a guarantee provided for by law?—Yes.

*By Mr. Clarke :*

18288a. The object is, I suppose, to give the people pure liquor?—Yes, and the object is to guarantee its age.

18289a. If people buy a bottle of whisky which is stated to be five year old, it is guaranteed to be of that age?—Yes, it is a Government guarantee of the goods, that the liquors are of quality, strength and purity.

18290a. Is there a law existing in any other country having the same object in view?—The English law is somewhat similar. I think our law was copied from an Act passed with respect to Scotch whisky.

*By Rev. Dr. McLeod :*

18291a. So you say it is a Government guarantee and not a distillers' guarantee. Does the Government have to guarantee goods in any other case, or only in the case of these liquors, and is that because people would not accept the guarantee of the distiller and require some other guarantee?—The Trades Marks Act applies to all kinds of goods.

18292a. It is not a trade mark, but a guarantee to which I am referring?—It is a trade mark applied to liquor.

*By the Chairman :*

18293a. How does the five years' label, come about, because the aging law does not apply to that. It is provided that spirits shall be kept two years before they can



be used. Now, you say that the labels are put on certain packages which guarantee that the liquors are five or six years old or some other number of years. And that these labels are put on the bottles under the law?—Yes.

18294a. What is the law—is it a trade mark law or what?—It is permissive. The excise officer has charge of the warehouse, and if liquors are kept there, say five years, they can be bottled there under his direction and he puts the stamps on the bottle; the distiller has nothing to do with it. There is the guarantee.

18295a. Under what law does the officer do that?—Under a law of the Dominion.

18296a. What is it?—It is a separate Act; it is an Act that was passed at the same time as the aging law.

*By Rev. Dr. McLeod:*

18297a. Is it an Act referring specially to that business?—Yes, I will send a copy of the Act to the Secretary. Perhaps a comparison of the stocks held by the distillers during the past two years in the different Inland Revenue divisions in Ontario may make clear the recent great accumulations of stocks and form the basis for certain deductions. There was held in stock by the distillers:—

	Gallons. 1st July, 1892.	Gallons. 1st July, 1893.
Toronto Division.....	5,327,639 75	5,426,268 51
Windsor “ .....	3,951,643 58	4,428,232 63
Prescott “ .....	1,205,865 54	1,304,467 20
Guelph “ .....	707,436 18	824,363 59
Hamilton “ .....	433,663 97	491,605 74
Belleville “ .....	548,300 84	604,836 96
	<hr/> 12,174,549 86	<hr/> 13,079,774 63

This immense amount of spirits held in stock by the distillers—held in stock because of the regulation of the Government—has a most important bearing when the questions of “loss of revenue” and “compensation” come to be discussed. Let me come now to the quantities of grain used. I herewith present a table showing the different amounts and kinds of grain used in the distilleries during the ten years from 1883 to 1892, taking the year ending 30th June. The totals show as follows:

	Bushels.
Malt (from barley).....	1,090,071
Corn.....	10,984,710
Rye.....	2,199,875
Wheat.....	104,087
Oats.....	342,970
Barley (not malted).....	16,087
	<hr/> 14,737,800

● In which is not included 121,237 lbs. of mill offal used in 1886, 1,392,654 lbs. of molasses, 13,065 pounds of buckwheat and 379,923 lbs. of ground apples and cider. The detailed statement is too bulky to be transcribed, but is available at any time.

*By Rev. Dr. McLeod:*

18298a. What is the mill offal?—It would be damaged wheat.

18299a. Would it be rejected flour?—It might be damaged flour.

*By Judge McDonald:*

18300a. I suppose sometimes it might be small wheat?—Yes.

*By Mr. Clarke:*

18301a. Not much alcohol could be obtained from flour?—Anything containing flour would be covered. Sometimes distillers get a chance to buy a lot of mill offal, and

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when they can get it at a low rate they take the opportunity of doing so. We have now statements of the product, amount entered for consumption, stocks in hand, grain used, etc., for a term of years and all taken from official sources. I will now give you a census of the trade obtained from the distillers themselves, and which is not to be obtained from any official source. I have secured from each distiller a statement of his business in detail for the year ending 30th June, 1892, and which I believe to be correct in every particular.

The statement contains within itself all necessary explanation, and the totals are as follows:—

#### SCHEDULE OF DISTILLERS, YEAR ENDING JUNE 30TH, 1892.

##### *Grain Purchased—Corn.*

Number of bushels.....	1,380,252
Freight paid on same.....	\$86,109
Duty paid Customs.....	\$111,350
Cost of the grain.....	\$793,067

##### *Rye and Wheat.*

Number of bushels.....	273,045
Freight paid on same.....	\$12,668
Duty paid Customs (job lot).....	\$15,888
Cost of the grain.....	\$170,586

##### *Barley.*

Number of bushels.....	135,407
Freight paid on same.....	\$5,007
Duty paid Customs.....	.....
Excise duty paid on the malt produced.....	\$52,187
Cost of the grain.....	\$64,092

##### *Oats.*

Number of bushels.....	46,884
Freight paid on same.....	\$1,850
Duty paid Customs.....	.....
Cost of the grain.....	\$17,011

##### *Hops.*

Numbers of lbs. purchased.....	29,933
Value of same.....	\$7,125
Duty paid Customs.....	.....
Freight paid.....	.....

##### *Coal.*

Tons of hard coal purchased.....	1,620
Value.....	\$3,799
Freight paid.....	300
Duty (fifty cents ton.)—	
Tons of soft coal purchased.....	32,379
Value.....	\$63,931
Duty paid Customs (sixty cents ton).....	14,337
Freight paid.....	15,022

*Property Account.*

Value of real estate (in part buildings and plant).....	\$3,586,589
Value of buildings.....	896,374
Value of plant and machinery.....	272,659

*Stable Account.*

Value of horses.....	\$5,550
Value of harness.....	1,310
Value of vehicles.....	4,850
Blacksmith's account.....	6,210
Value of hay, oats and other fodder.....	2,862

*Barrel Account.*

Number of barrels made.....	36,989
Value of same.....	\$90,891
Number of coopers employed.....	60
Amount paid coopers in wages.....	\$29,469
Value of material imported.....	34,261
Amount of duty paid.....	7,100
“ freight paid.....	3,781
Value of cases.....	9,309
Amount paid for ice.....	4,030
“ taxes paid.....	37,811
“ for water.....	5,202
“ for gas or other light.....	4,150
“ for stationery, printing and advertising....	10,978
“ for capsules.....	2,878
“ for corks.....	4,074
“ for bottles imported (and duty).....	36,638
“ for domestic.....	11,110
Freight on same.....	936
Freight paid on output.....	43,700

*Insurance Account.*

Amount of insurance carried :	
(a) On buildings and plant.....	\$1,186,800
(b) On stock.....	6,429,062
Amount of premiums paid.....	106,939

*Feeding of Cattle.*

Number of cattle fed.....	7,440
Value of same when bought.....	\$252,000
Tons of hay consumed.....	9,450
Value of same.....	\$111,450
Number of hogs or other animals fed.....	795
Number of men employed in feeding.....	83
Amount of wages paid them.....	\$21,206
Total number of men employed in and about the distillery	451
Total amount of yearly wages paid employees, including cost of management.....	\$384,802

I visited each place and these statistics are taken from the books of the firm and they are as correct as it is possible to get them.

One of these distilleries does forty per cent of the entire trade, and another thirty per cent. We have, therefore, in stable account only thirty per cent of actual amount.

The two largest distilleries hire all their truckage.

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*By the Chairman :*

18302a. In the tables you are referring entirely to the materials used in distilleries?—Yes.

18303a. Can you tell us with respect to the corn used, 1,380,252 bushels, what proportion is brought in from the United States?—It is mainly brought in from the United States. There is a large quantity of corn, however, raised in the County of Essex which Messrs. Walker buy, but outside of that county the corn comes entirely from the United States.

18304a. Where does the rye come from?—The rye and all other grains are obtained in Canada.

*By Judge McDonald :*

18305a. With respect to the schedule of distillers for the year ending June 30, 1893, I observe the following note, "One of these distilleries does 40 per cent of the entire trade, and another 30 per cent; we have therefore in stable account only 30 per cent of actual amount"?—Yes.

18306a. What does that mean?—Those people hire the trucks they require, and do not keep a stable of their own.

18307a. Speaking of the feeding of cattle, you mention one distillery where the cattle are fed by a company, while in other distilleries the cattle are fed by the firms, and in other cases again all the refuse is sold. In the last case, is the number of cattle included in the statement?—No. Messrs. Walker have been requested to furnish a return, and I may say they sell the slop or grains to a company, and I do not include them in this account. But I will now proceed to deal with the cattle feeding question.

Regarding the two items in the table, concerning which full information is not to hand; the matter of cartage is not to be considered as outside of local importance, but with reference to the feeding of cattle a different story is to be told. This is a subject of very great importance indeed, so much so that I desire to devote a short space to its consideration. In this regard we are fortunately in possession of data that enable us to arrive at an absolute conclusion. I beg, herewith, to submit a statement furnished by Messrs. Gooderham & Worts, of Toronto, to Mr. Geo. Johnson, the Dominion statistician, containing the number of cattle and hogs fed, and hay consumed at the byres (together with other information) from 1882 to 1892. Upon this subject I speak with a certain amount of personal knowledge, having once been connected with that business, and I have no hesitation in saying that the figures given by Messrs. Gooderham and Worts are below rather than above the market. The statement is as follows :—

Established 1832.

GOODERHAM & WORTS, LIMITED,  
DISTILLERS, MALTSTERS AND MILLERS,  
TORONTO, CANADA, May 9th, 1892.

SIR,—In accordance with your letter of the 14th April we have had prepared and now submit herewith, the following table, setting forth the number of cattle and hogs fed, and the quantity (in tons) of hay used for same during the eleven years 1881-2 to 1891-2.

	Cattle.	Hogs.	Hay.
1881-2.....	4,197	470	6,295
1882-3.....	4,702	568	7,053
1883-4.....	4,631	568	6,947
1884-5.....	4,370	487	6,555
1885-6.....	4,514	568	6,771
1886-7.....	4,794	620	7,191
1887-8.....	4,742	620	7,113
1888-9.....	4,279	568	6,419
1889-90.....	4,480	466	6,720
1890-91.....	3,195	410	4,793
1891-92.....	3,226	410	4,839

The quantity of hay was arrived at by estimating  $1\frac{1}{2}$  tons per head per season. It may be mentioned that in the earlier part of the period referred to, the stock of this distillery—and no doubt of others also—was somewhat low, and we were running above the normal capacity; and then for the next few years, up to 1887-8 distillers were accumulating stock to comply with the two-year clause of the Inland Revenue Act lately put into force. Since then the output of distilleries has slightly decreased and is now about normal.

In respect to values: up to the year ending first July, 1887, the average price of cattle when tied up was \$34 to \$35 per head, from that period up to 1890-91 the average price was \$37 per head, whilst in the present 1892-93 \$40 was the original cost. Now it is generally agreed among feeders that cattle about double their value during their feeding season, so that the values at the end of the different seasons would be about double figures above given. The value of hogs average about \$5 at the beginning of the season and about \$12 at the end.

Yours truly,

GOODERHAM & WORTS, (Ltd).  
(Sgd.) W. G. GOODERHAM,  
*Manager.*

GEO. JOHNSON, Esq.,  
Government Statistician, Ottawa.

I have in addition, a considerable amount of detailed evidence, but will only trouble you with a statement from Messrs. L. Coffee & Co., who contract for a portion of the feeding of Gooderham & Worts' byres. Their statement is to this effect:—

Cattle purchased, 572; cattle culled out, 58; cattle exported, 514.

Hay purchased 659·1190 tons, cost \$7,174.36, being over  $1\frac{1}{2}$  tons per head, and an average cost of nearly eleven dollars per ton.

Number of men employed 5; total wages paid \$1,380.

Freight on these cattle coming in would be from \$20 to \$30 per car of twenty or twenty-one head.

The outward freight to Montreal is \$29 per car of sixteen to eighteen head. Ocean freight paid was 60 to 65 shillings per head without insurance.

From this we are able to make an accurate calculation of all the cattle fed at the Canadian distilleries. Throwing aside altogether the feeding of hogs—which I may say is not by any means a small matter—we find from the table given above that the average number of cattle fed at Messrs. Gooderham & Worts' byres in the past ten years exceeds four thousand. This past year not so many were fed owing to the fact that a great deal of offal was sold to outside parties and to other causes, but whether the offal is sold or fed on the premises, the result must be the same. So many bushels of grain distilled must produce so much offal, it matters not whether the distillation takes place in Halifax or Windsor, and that offal must be used in the feeding of cattle. Without further argument then, this statement may be given based upon the figures of Messrs. Gooderham & Worts, and Messrs. L. Coffee & Co., and other statements that I have in my possession:—

Statement of cattle fed and particulars thereof at Messrs. Gooderham & Worts' cattle byres, Toronto:—

Average yearly number of cattle fed .....	4,000
do do men employed .....	35
do wages paid .....	\$9,600
do tons of hay consumed at $1\frac{1}{2}$ .....	5,000
Cost of hay at \$11 per ton .....	55,000
First cost of cattle at \$40 .....	160,000
Freight coming in at \$1.00 .....	4,000
Value of cattle going out .....	320,000
Freight to Montreal, at \$2.30 per head .....	9,200
do England, \$15.75 per head .....	63,000

Messrs. Gooderham & Worts do 40 per cent of the distilling business of Canada, as shown by the official returns before quoted. This allows to the other distilleries 60 per cent, and calculating upon this basis, a perfectly correct calculation—the total feeding

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capacity will be, and is, whether utilized at the distillery or outside by the neighbouring feeders, as follows:—

Cattle fed yearly.....	10,000
Number of men employed in feeding.....	87
Yearly wages so paid.....	\$24,150
Tons of hay consumed.....	12,500
Cost of the hay.....	\$137,500
First cost of the cattle.....	400,000
Freight to stables.....	10,000
Selling price of cattle.....	800,000
Freight on same to Montreal.....	23,000
do                      England.....	157,000

This does not include cost of drovers, of men employed in shipping, on the cars, on the vessel, or at the landing. In every particular, too, the lowest estimate has been used yet it will be seen at a glance of what great importance the cattle industry in connection with distilling is.

In concluding this branch of the subject, let me summarize thus :

The distillers use in an average year 1,836,588 bushels of grain.

At a cost of (paid the farmer) \$1,044,756.

With freight charges of \$105,634.

Custom charges of \$179,425.

They have in real estate, buildings, plant and machinery, transportation facilities, casks, bottles, etc., etc., an investment of \$4,933,210.

They carry an insurance of \$7,615,862.

With yearly premiums of \$106,939.

They feed 10,000 head of cattle and pay nearly \$400,000 in wages yearly to 451 employees, besides carrying a stock of nearly 14,000,000 gallons, together with all the incidentals noted in the above tables and statements. The effect of prohibition upon this industry may be considered later.

*By the Chairman :*

18308a. Is that for the year?—Yes, for one of their seasons. I have the original letter here.

18309a. For what year is it?—For the year 1892.

*By Judge McDonald :*

18310a. What does the offal mean?—That is the grains or slops after the distilling process.

*By Mr. Clarke :*

18311a. Take this paragraph, "From this we are able to make an accurate calculation of all the cattle fed at the Canadian distilleries. Throwing aside altogether the feeding of hogs, which I may say is not by any means a small matter, we find from the table given that the average number of cattle fed at Messrs. Gooderham & Worts' byres in the past ten years exceeded 4,000." Do you mean 4,000 per annum?—Yes. The average number yearly was 4,000 and the number of men employed 35.

There are in the Dominion of Canada 125 breweries, although the census returns place the number at 162. These breweries are found in every province, and though many of them are small concerns, together they aggregate an enormous industry. The output has been steadily increasing for many years and is still increasing. The following table gives the output of malt liquor, ale, lager and porter from the year 1884 down.—

21—76½\*\*\*

	Gallons.
1884 .....	13,098,700
1885 .....	12,071,752
1886 .....	13,282,261
1887 .....	14,786,285
1888 .....	15,944,002
1889 .....	16,363,349
1890 .....	17,196,115
1891 .....	18,096,183
1892 .....	16,946,245

The Scott Act years may be taken as from 1885 to 1889.

The steady and rapid increase in the annual consumption of malt liquors is to-day one of the marked features of the liquor traffic in Canada. The duty in connection with beer is levied upon the malt. This among other things securing that deleterious matter shall not be used in the manufacture.

*By Mr. Clarke :*

18312a. How do you make that out? The only articles that enter into the manufacture of beer in Canada are barley, malt and hops, and whatever is allowed under the law as colouring matter?—Yes.

*By Rev. Dr. McLeod :*

18313a. What is used for colouring?—I do not know what is used in Canada. In the United States a good deal of rice and sugar is used. In Germany where they wish to make the beer of special colouring, they use articles which are not allowed in our law. In the United States the duty is levied on the barley and not on the malt, but here it is levied on the malt, and as there is scarcely anything else used here, the product is about as pure as it can well be. The malting business, therefore, becomes one of great importance. All of the larger breweries have their own malt-houses, but in addition, to supply the smaller concerns there are six malt-houses, five in Ontario and one in Quebec, which do a malting business only, with a combined capital of \$223,500, and a yearly output valued at about a quarter of a million of dollars. These malt-houses give employment to 45 men, and have a yearly wage bill of \$15,300.

The following statement gives particulars of the malting industry :—

STATEMENT showing malt manufactured, malt exported and malt consumed in Canada.

Year.	Malt manufactured.	Malt exported.	Malt consumed in Canada.
	Lbs.	Lbs.	Lbs.
1880.....	67,132,206	22,547,553	44,584,653
1881.....	70,507,220	40,056,907	30,451,313
1882.....	85,516,222	46,882,486	38,633,736
1883.....	55,447,616	4,961,383	50,486,233
1884.....	49,517,962	11,868,299	37,649,663
1885.....	48,212,695	9,793,202	38,419,493
1886.....	54,662,804	6,064,360	48,598,444
1887.....	54,282,943	5,470,338	48,812,605
1888.....	60,500,427	3,339,627	57,160,800
1889.....	64,314,257	5,471,737	58,842,520
1890.....	52,999,874	3,333,633	49,666,241
1891.....	52,713,966	4,734,957	57,909,201
1892.....	55,952,712	69,855	46,425,853

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The malting business is largely confined to Ontario, where most excellent barley is grown, and where consequently the business can be carried on most profitably. The subjoined statement throws light upon this phase of the subject :—

Year.	GRAIN PLACED IN STEEP.		MALT MANUFACTURED.	
	Ontario.	Dominion.	Ontario.	Dominion.
	Lbs.	Lbs.	Lbs.	Lbs.
1884.....	53,304,910	71,059,171	45,166,149	54,945,693
1885.....	50,308,703	62,849,640	39,560,742	49,225,213
1886.....	49,008,115	62,605,106	37,756,495	48,073,218
1887.....	53,860,581	69,762,573	42,131,943	54,327,924
1888.....	53,547,833	68,990,304	41,907,609	53,931,067
1889.....	60,007,696	75,270,514	48,379,239	60,310,848
1890.....	63,944,104	79,757,873	51,615,794	64,141,315
1891.....	51,243,216	66,334,732	40,715,878	52,718,966
1892.....	56,695,785	70,458,779	45,126,791	55,952,712

I now come to the brewing industry itself, of which I have taken a very careful census. I collected returns from sixty-four of the one hundred and twenty-five breweries. The sixty-four comprise all of the concerns of any magnitude whatever, but in adding only ten per cent for the other sixty-one, I have kept well within the mark. That these figures possess every element of accuracy there can be no doubt, as in point of the amount of grain used they agree with the census returns. The amount stated as given in excise falls slightly below the official returns, as does the number of men employed which is over 100 below the census figures. Undoubtedly any error is in being below rather than above the mark, and I prefer that it should be so. The statement is for the year ending June 30th, 1892, and is as follows :—

Barley used for the manufacture of ale, porter and lager, 1,412,229 bus....	\$908,999
Hops purchased, 1,477,403 lbs.....	465,965
Duties paid—excise .....	816,537
Licenses .....	17,144
Value of Property.	
Buildings.....	\$3,356,987
Plant .....	993,269
Horses .....	50,108
Harness .....	17,628
Wagons and other vehicles .....	58,969
Expenses for the year in repairing harness, wagons, etc.....	21,142
Blacksmith's account.....	19,653
Hay, oats and other fodder .....	59,996
Value of casks.....	617,206
Value of cases.....	74,354
Amount of freight paid.....	211,805
"    " insurance .....	44,746
"    " paid for ice .....	32,727
"    " taxes, water and gas .....	75,955
"    " fuel.....	110,778
"    " labels.....	14,561
"    " corks.....	52,567
"    " capsules.....	12,031
"    " bottles.....	121,228
"    " tin foil.....	2,505
"    " wire .....	2,131
" of wages paid.....	774,411
Grains sold for feeding of cattle—689,458 bushels.....	—
Estimated number of cattle fed.....	—
Number of men employed.....	1,724

**Maintenance of office :—**

Printing .....	} 54,358
Advertising .....	
Show cards .....	
Sundries.....	121,992



The feeding of cattle is also a large factor in connection with this industry. A close estimate is, that the 1,412,229 bushels of grain steeped in 1892 furnished food to fatten 9,000 head of cattle. These cattle would use 11,250 tons of hay at an average of \$11 per ton—\$123,750. At \$40 per head, the first cost of the cattle would be \$360,000, and the selling price when fattened \$720,000. Freight would be, at one dollar per head on the incoming cattle, \$9,000; at \$2.30 per head to Montreal, \$20,700, and at \$15.75 per head to England, \$141,650.

These foregoing figures show that the brewing industry affords an average yearly market of a million and a half of bushels of barley, \$360,000 worth of cattle, and \$123,750 worth of hay for the farmer, that there is invested in the business, in buildings, plant, casks, etc., etc., of the nature of property, no less a sum than \$5,373,554, that employment is given to 1,724 workmen whose annual wages amount to \$774,411. The value of the yearly product is estimated at \$5,721,666.

This, I may say, is an estimate, and it must be taken as such. The figures are as accurate as they can be got, but it is not an accurate return as in the case of the distillers.

*By Mr. Clarke :*

18314a. You mention the sum of \$5,373,554 and you say that employment is given directly to 1,724 workmen whose annual wages amount to \$774,411. Where did you get those figures? I have already mentioned the value of buildings as \$336,000. Casks is one of the large and important items in breweries. The question is often asked, where does the grain come from. All the grain is Canadian grain; we do not import any grain for brewing purposes.

*By Judge McDonald :*

18315a. Some of the hops, I suppose, are imported?—Yes, I will deal with them later on.

It is, however, only when we come to the retail trade that the truly enormous interests involved in the liquor traffic are apparent. Upon this subject I have collected a large mass of statistics which I shall endeavour to compress within reasonable limits. There are to be considered, in this branch of the subject, the houses which act as importers and middlemen, which we may call wholesalers, the hotels and saloons with bars, and the shops that sell in certain quantities. The conditions of sale vary in the different provinces, but that information is already in the hands of the Commission, and need not be referred to here.

The importation of liquors has grown to be a very large business, and is one not to be overlooked in this inquiry, either as regards the extent of the business itself, or its revenue producing qualities for the Government. The following table gives the classified importations 1887 to 1892 :—

ARTICLE.	PROOF GALLONS.					
	1887.	1888.	1889.	1890.	1891.	1892.
Miscellaneous spirits.....	5,187	6,702	16,469	16,317	21,626	18,990
Cordials and liquors, n.e.s.....	5,921	21,713	22,763	21,321	15,729	16,575
Brandy, artificial and imitations.....	151,054	184,265	196,416	208,662	197,252	182,832
Rum.....	80,754	87,212	99,570	120,837	70,414	77,168
Gin, n.e.s.....	390,313	448,933	484,569	498,791	409,042	366,627
Whisky.....	119,120	131,474	154,375	180,502	164,028	181,402
Wines, sparkling, of all kinds, containing up to 40 per cent spirit.....	433,526	452,248	480,444	525,249	514,148	473,641
Champagnes and other sparkling wines.....	15,104	13,905	16,205	18,432	21,587	20,176
Ales, beers and porters.....	333,206	315,456	333,365	384,662	426,476	455,175
	1,534,185	1,661,908	1,804,176	1,974,773	1,840,302	1,792,586

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To get at an approximate idea of the extent of the retail trade, let us take first the city of Montreal.

There are fifteen large wholesale and importing houses in Montreal. From these I have gathered statistics of which I give you the totals for the year 1892.

Value of property, including capital.....	\$1,535,000
do of stock, plant and fixtures.....	390,000
Paid in premiums in insurance.....	7,810
Yearly amount paid in freight.....	46,800
No. of persons who would be thrown out of employment by a prohibitory law.....	180
Their yearly wages.....	\$96,500

There are or were at the time of the gathering of these statistics 458 licensed hotels and restaurants in the city of Montreal. I ascertain the value of the property in these hotels to be \$8,817,075; the estimated depreciation thereof in the event of the passage of a prohibitory law to be \$4,743,392; the value of plant, stock and fixtures to be \$1,794,215; the number of persons who would be thrown out of employment by the passage of a prohibitory law to be 3,996, and the yearly amount of their wages \$1,073,906.

*By Judge McDonald:*

18316a. I observe that the number of persons employed you place at 3,996. Who are included in that estimate?—Those are the persons whose services would be dispensed with.

18317a. And it does not cover merely the dining-room waiters, of hotels?—No, it is a statement of the number of persons who would be dispensed with. For instance, I think I would be safe in saying that if bars were abolished, two-thirds of the hotels in the city would be closed. That would dispense with the whole establishment.

*By Rev. Dr. McLeod:*

18318a. So they are not really hotels but drinking places, saloons?—I do not say that. But I say that a great many hotels without the profits of the bar, would be unable to keep open; the profits would not be sufficient to keep them going.

18319a. Would there not be a demand for hotel accommodation for one-third of the whole number at the present time?—Yes, there might be, but I do not know. There are a large number of hotels in Montreal.

*By Judge McDonald:*

18320a. Does this number include people employed at restaurants, here where both food and drink are sold?—Yes.

18321a. Have you taken into consideration at all the large number of unlicensed places in Montreal where drink is sold, and which a prohibitory law would reach, as well as it would reach the licensed places?—I have not considered them.

18322a. You know that the estimated number is a large one?—Yes, a very large one.

18323a. You have not taken into consideration that those carrying on business illicitly would also lose their employment?—No, I have not taken them into account.

*By Mr. Clarke:*

18324a. Do not those people find employment in selling liquor illicitly?—No, doubt. But we are assuming that a prohibitory law would prohibit.

Judge McDONALD.—Of course these questions are based on the assumption that it would be impossible to successfully enforce a prohibitory law.

*By Mr. Clarke:*

18325a. Upon what basis, upon what plan do you estimate the depreciation of the value of this hotel property from \$8,817,085 to \$4,745,000?—That is an estimate obtained from the proprietors of the establishments.

18326a. Of course the proprietor would not be likely to make out an estimate that was too low?—That may be.

18327a. Are these statistics in your judgment reliable?—They are as accurate as it is possible to get them. I have had them carefully compared by men who are acquainted with the properties. The Windsor Hotel is not included in this statement, for I did not consider it proper to take in a large concern like that—it is not in the estimate any way. There are no official census figures that can be any more correct than these. We got statements from the parties and had them gone over by men acquainted with the values of the properties, and in every way we endeavoured to verify them.

Grocery stores and shops selling liquor, numbered 477. The total value of the property thus employed is estimated at \$2,628,000; the estimated depreciation \$657,000; the value of plant, stock, etc., \$1,430,000; the total number of persons who would be thrown out of employment 551, and their yearly salaries \$220,400.

Soda water manufacturers have \$72,500 in property in their business which would depreciate \$26,330, their plant stock, etc., is valued at \$77,604; 91 of the employees would have to be discarded, in the event of the passage of a prohibitory law, whose yearly salaries aggregate \$30,701. In the same way coopers engaged in the trade have property valued at \$13,500, depreciation \$10,000, employees 19, yearly wages \$9,880; while a cork manufacturer, whose business is with the trade, has property valued at \$12,000, plant, stock and fixtures \$18,000, employs 14 men at a yearly wage of \$6,500. Taking in addition the breweries, and we have the following figures for the trade in Montreal:—

Designation.	Value of Property.	Estimated Depreciation.	Value of Plant, Stock and Fixtures.	No. of Persons thrown out of Employment.	Their Yearly Salaries.
	\$	\$	\$		\$
Breweries .....	670,000	670,000	1,085,828	502	216,440
Wholesale .....	1,535,000		390,000	180	96,500
Hotels and restaurants .....	8,817,075	4,743,392	1,794,215	3,996	1,073,901
Groceries and shops .....	2,628,000	657,000	1,430,000	551	220,400
Soda water manufactories .....	72,500	26,333	77,604	91	30,701
Coopers .....	13,500	10,000		19	9,880
Cork manufacturers .....	12,000	12,000	18,000	14	6,500
Total .....	13,748,075	6,118,725	4,795,647	5,353	1,654,322

*By Rev. Dr. McLeod:*

18328a. Why do you include in your statement soda water manufactories? Would they be wiped out by the operation of a prohibitory law?—There is very little soda water sold except there is whisky or some other liquor in it.

18329a. Would not more be sold in the event of the adoption of a prohibitory law?—Undoubtedly not. Let the Commission call one of the soda water manufacturers and he will no doubt tell you that the adoption of a prohibitory law will close his business.

Judge McDONALD.—A man engaged in the manufacture of soda water spoke to me not long ago, and said he had been following the proceedings of the Commission and he did not see that prohibition would kill his business. He mentioned that his business had gone up by leaps and bounds, and was increasing.

*By Rev. Dr. McLeod:*

18330a. Would not the soda water business profit by the abolition of the sale of alcoholic liquors? I noticed before in Halifax that soda water manufacturers were included in a similar statement submitted there, and I have not been able to under-

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stand why these aerated drink manufactures should be included in such a statement?—They were included.

*By Judge McDonald :*

18331a. The manufacture of ginger ale surely would not be effected?—Yes, to a large extent. Take the total quantity of ginger ale and soda water sold in Montreal and Toronto; the largest quantity is sold in licensed houses, in fact almost the entire quantity is sold there. The amount sold outside not amounting to anything.

18332a. Is not a quantity sold to private houses?—Yes, but it is very small. The soda water men with whom I am acquainted are quite outspoken on that point.

18333a. Have you learned from any soda water manufacturer or manufacturers of aerated drinks, such as ginger ale, that the passage of a prohibitory law would injure that business?—The leading men engaged in the manufacture have told me so. In Toronto the liquor interest is also very extensive.

*By Mr. Clarke :*

18334a. You say: "In Toronto the liquor interest is also very extensive." Are these figures in regard to Toronto as accurate as the other figures?—Yes. I speak even more emphatically with respect to them, because I have a very good idea of the value of the property myself, and I have had reliable men go over the figures. The wholesale trade occupies property valued at \$274,000, on which the estimated depreciation would be \$92,000; value of plant, stock and fixtures \$610,000; number of persons who would be thrown out of employment 152; yearly wages \$137,676. The hotels have property to the value of \$4,988,616; estimated depreciation \$2,266,200; value of plant, stock, etc., \$1,230,138; number of persons who would be thrown out of employment under a prohibition law 1,580; with yearly wages of \$429,902. The liquor shops have property valued at \$505,357; estimated depreciation \$107,638; value of plant, etc., \$323,750; employees 175; yearly wages \$102,839. Soda water manufacturers have property valued at \$23,100; estimated depreciation \$7,050; value of plant, stock, etc., \$40,000; persons who would be thrown out of employment 37; yearly wages \$14,650. A cork manufacturer has property valued at \$18,000, which would depreciate slightly; plant \$5,979; persons employed 34; yearly wage \$12,775. Add to this the distilling and brewing interest and we have for Toronto the following:—

Designation.	Value of Property.	Estimated Deprecia- tion.	Value of Plant, Stock and Fixtures.	No. of Persons thrown out of Em- ployment.	Their Yearly Salaries.
	\$	\$	\$		\$
Distillery and breweries .....	2,048,207	2,048,207	1,171,749	582	350,788
Wholesale .....	274,000	92,000	610,000	152	137,676
Hotels .....	4,988,616	2,266,200	1,230,138	1,580	429,902
Shops .....	505,357	107,648	323,750	175	102,839
Soda water manufacturers .....	23,100	7,050	40,000	37	14,650
Cork manufacturers .....	18,800	.....	5,979	34	12,775
<b>Total.....</b>	<b>7,858,080</b>	<b>4,521,105</b>	<b>3,381,616</b>	<b>2,560</b>	<b>1,048,630</b>

I have also gathered statistics from various other cities and towns, but not to load up the record, I will with your permission give a table of the totals and omit, except in the case of Halifax, the manufacture which has already been covered. The figures are as follows :—

Name of City or Town.	Value of Property.	Estimated Depreciation.	Value of Plant, Stock and Fixtures.	No. of Persons thrown out of Employment.	Their Yearly Wages.
	\$	\$	\$	.	\$
Halifax, N.S. ....	1,681,345	935,255	316,755	618	248,120
St. John, N.B. ....	729,485	297,172	378,416	355	166,280
Ottawa ..... .	1,292,000	543,650	284,425	488	134,630
Hamilton ..... .	637,850	287,400	297,000	372	91,040
London ..... .	581,000	283,200	161,300	349	85,440
Guelph ... ..	178,200	86,100	40,650	151	31,412
Windsor.....	462,000	242,500	69,200	251	55,052
Woodstock.....	194,000	115,000	22,350	106	17,708
Berlin ..... .	167,000	96,000	25,100	65	18,876
Walkerton (no shops).....	66,500	37,500	5,800	44	8,014
Waterloo (no shops).....	111,000	71,200	4,000	47	8,040

In selecting these cities and towns it will be observed that some are on the border while others are as far inland as can be desired. They represent, as fairly as can be, all classes of population, and busy bustling, as well as staid, quiet country places. My object now is to get a fair average census of the trade along the lines indicated in the above tables, an object not easy of absolute attainment, unless one were clothed with all the powers of the National Government. Still an effort may be made. For instance, in Toronto, the averages for hotels (which would be considerably increased were wholesale and retail shops included) are :

Value of property.....	\$33,257	4·9
Estimated depreciation.....	15,108	1·17
Value of plant, stock, fixtures, &c.....	8,200	25·27
Number of persons thrown out of employment.....	10	29·54
Yearly wages of these.....	2,866	1·54

In Montreal the averages for hotels and restaurants are :

Value of property.....	\$19,251	1·4
Estimated depreciation.....	10,356	3·4
Value of stock, plant, fixtures, &c.....	3,917	1·2
Number of persons thrown out of employment.....	8	29·40
Wages of these.....	2,423	3·4

I venture to submit that the average town and village hotel has as large an investment in property, as large a stock, and as many employees at as good wages as the average city hotel, outside the few that are known as "leading." Outside the cities,

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there are few shop and no wholesale licenses. The average town or village hotel would suffer just as much as that situated in the city. The combined shop and wholesale licensed establishments run along about the same lines as to value of property, depreciation, plant, stock, employees, wages, &c., as the average hotels. Bearing these facts in mind, we arrive at something like a fair basis of calculation. There are in round numbers, say, seven thousand retail licenses (licenses include hotels openly selling liquors over bars in prohibition counties) of various kinds issued in the Dominion of Canada. Let us take a very low figure. Let us place the average value of a licensed property, not at \$33,000 as in Toronto, but at \$10,000. Take the depreciation, not at \$15,000, for each license, but at one third of the \$10,000, or \$3,333. Place the average stock at \$3,000 instead of the \$8,200 in Toronto, the average number of persons who would be thrown out of employment at 5, instead of about 11, and their yearly wages at \$1,500 instead of \$2,800 and what result do we reach?

On this basis, the retail licensed property in Canada is valued at \$70,000,000.

*By Mr. Clarke :*

18335a. Do you not think \$10,000 is altogether too high a figure?—No, it is a low figure. You cannot get a hotel proper in Toronto for anything like that sum. Take a hotel property in an ordinary town, and it is worth \$10,000.

Judge McDONALD—I can mention several which would not run over \$4,000 or \$5,000.

*By Rev. Dr. McLeod :*

18336a. Would any run up to \$10,000?—Yes.

Mr. CLARKE—I think the average is too high.

The estimated depreciation in the event of the passage of a prohibitory law is \$23,331,000.

The total value of stock, plant and fixtures is \$21,000,000, which must be taken into account, as it will have to be provided for.

The number of employees who would be thrown out of employment is 35,000.

Their yearly wages amount to \$10,500,000.

*By Mr. Clarke :*

18337a. How would the stock be destroyed?—That would depend upon the provisions of the law. If a certain time was allowed in which to sell it or drink it, then of course it would not all be destroyed. I do not state that these figures are accurate, but I am prepared to place all the information at my disposal in the hands of the Commission, when your honourable body may figure out the problem for yourselves. I believe that I am much below the true figures. These last figures, of course, do not take into consideration what may be called the cognate trades, such as bottling, brewers and distillers' supplies, soda water manufacturers, cooperage, corkage and many other trades which are interwoven into the general traffic.

There are two other branches of the trade with which I have not yet dealt—the manufacture of wine and cider. In regard to the former, all the information I have been able to obtain goes to show that the census figures with regard to this industry are inaccurate. With reference to the cider business, there is no possibility of obtaining information except through the census.

The census returns for wine makers give the capital invested as \$396,475, the value of the product as \$249,489 (a ridiculously low figure) the number of industries, as 41, the number of employees as 150 and the yearly wages paid as \$37,955.

The figures for the cider mills are given as :—capital invested \$136,795 ; value of product \$186,835 ; number of industries 175 ; number of employees 321 ; and yearly wages \$47,129.

With this I have done with the statistics relative to the proportions of the liquor traffic in Canada. Other "effects of the liquor traffic" are insignificant compared with the establishment of this tremendous industry.

Clause 2 of the Commission: "the measures which have been adopted in this and other countries to lessen, regulate or prohibit the traffic," I need not discuss, as I know the Commission is fully informed upon the subject. I would beg, however, to direct attention to a work entitled "Liquor Laws of the United States, their Spirit and Effect," a copy of which I beg to lay before you. In brief, this pamphlet shows that prohibitory attempts in the United States are as old almost as the Union itself, that they have all been attended with the same unerring blank failure, that partial prohibitive attempts in early times led, not alone to riot but to armed insurrection, that the range of experiment in the United States has run from one extreme to the other, from "free whisky" under the law to "free whisky" under prohibition, and that the result of it all is that the United States to-day ranks third among the beer consuming, and well to the front among the whisky consuming nations of the earth.

Question 3: "The result of these measures in each case." Under this heading I may be permitted to give the results of my investigations and experience in different communities where prohibitive laws are or were in force. In doing so I shall follow largely in the footsteps of the Commission.

*In Halifax*:—The law, which provides for license, says that hotels shall have no bars, but may sell to their guests, in their rooms or at table, while shops may sell in certain quantities to be consumed off the premises. It is required also that the Inspector shall be a member in good standing of some temperance organization. However, what is the result? Practically few in Halifax wanted such a law, and as a matter of course, it is inoperative. Every hotel has a bar, and nearly every shop has the same convenience. The law is broken openly and flagrantly every minute of every hour of every day, 365 days in the year. Something might have been done with ordinary restrictions, now there is no restriction at all, and in the city which legally has no bars I saw more reeling drunkenness than I have observed in any other city in North America, except where total prohibition prevailed. I speak of Halifax after four or five visits thereto, and after inspecting nearly all of the hotels and dozens of the shops.

Outside of Halifax (except in a couple of isolated cases in Halifax County) the law imposes such severe conditions that no licenses can be obtained. Travelling through the province in company with the Commission and otherwise, I found these results:—

*Windsor Junction*:—This rocky sterile meeting place of two railroads, outside of Halifax, contains nine buildings including a church. Four of these sell liquor. Of three of these I know by personal experience.

*Truro*:—Another railway junction and a place of considerable importance. I have visited Truro half a dozen times. At times the bars are practically wide open. A stranger can get off the train, run across to a hotel get a drink and get back before the train starts. At the time the Commission took evidence in Truro there were from twenty to thirty-five places selling liquor regularly.

*New Glasgow*:—Here, on the occasion of the passing through of the Commission, and on two former occasions, liquor was served openly at the hotel table.

*Pictou*:—Practically open sale on the occasion of my visit.

*Port Mulgrave*:—A dozen places selling liquor.

*Grand Narrows*:—Liquor served openly at the table.

*North Sydney*:—Open sale of liquor, no pretense at concealment. From thirty to sixty places said to be selling.

*Sydney*:—About the same.

*Windsor*:—Stopped there over night, a week or two before the Commission went through. There was apparently no attempt at enforcement of the law.

*Kentville*:—Has a bar wide open in the railway station. In the town they have signs on all the bar-rooms. The citizens will not permit of any attempt at enforcement of the law, and consequently there is no restriction whatever. Yet it is one of the most prosperous and wide awake towns in Nova Scotia.

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*Annapolis*:—I was told that here no liquor was sold. In the short time at my disposal after dinner, and before the train started, I walked up street, and though a total stranger, had no difficulty in walking straight to a place where liquors were sold. I do not know how many other places there may have been.

*Yarmouth*:—Of this place I want to speak at a little greater length. It has "enjoyed" prohibition for seventy years, and yet there is no shadow of doubt that it is not as orderly and sober now as it was years ago. Take the Yarmouth election trial of 1887, when—and this is a matter of court record—the county was carried by an enormous expenditure of whisky. The prohibitionists had previously always passed resolutions to support only tried and proved prohibitionists. At the election following these disclosures, a tried and proved advocate of prohibition, Mr. T. B. Crosby ran against the gentleman against whom the disclosures had been made—and was defeated. As a matter of fact, and on this point I made careful inquiry, most of the old time temperance societies have died or are kept alive by a handful of old people. Even ex-Governor St. John, of Kansas, prohibition candidate of the United States, when he visited Yarmouth could scarcely get together an audience. Not because there was no need of temperance work, for in all these years, the selling of liquor, in its most dangerous form, has gone steadily on, until now there are "walking bar-rooms." Men so low and degraded that no licensed or other respectable person would sell them liquor, are thus supplied in alley ways and vile dens, and so are boys. Convictions are made, but still the sale goes on. This peddling by "boot-leggers" to those who could not and would not be served in a licensed place, is one of the worst crimes that follows prohibitory measures. Then the prosecution of offenders has become a speculation for the money there is in it. These speculators are either blackguards themselves, or they enter into conspiracies with blackguards, offering them rewards to give evidence against parties in position to pay fines. These hirelings commit perjury without restraint. For instance, a man named Lambert, a seedy looking labourer swore against Mr. A. J. McCallum, one of the most respectable druggists in the province. Mr. McCallum was convicted and fined, but had Lambert arrested for perjury. Lambert confessed the perjury and was committed for trial, but later on got off on a technicality in the committal papers. Again, E. M. Nicholls, proprietor of the Queen's Hotel, was convicted and sentenced to jail for sixty days on similar evidence. He took proceedings against the perjurer who fled from the country and has never since returned. The papers in the case were sent to the Minister of Justice. These are specimens of prohibition in Yarmouth. I visited Yarmouth twice. My own observation showed me that there was a great deal of drinking in private houses. The effect of this is a large consumption, as when one, two or more people sit down, in this way the tendency is to drink a great deal. At the hotel at which the Commission stopped there were two bars doing a big business. Some of the windows of this hotel were propped up with empty whisky bottles, a thing I have never seen outside a prohibition town. There were piles of empty liquor bottles in alley ways and in vacant places behind stores. I saw six drunken sailors march up the principal street hand in hand, singing boisterously and the police looked the other way. There were drunken quarrelling men in the hotel, in one case a little daughter was trying to get her father away. A drunken man fell down a flight of stairs long after midnight and awakened everybody in the hotel. In short, I saw more drunkenness in Yarmouth than any other town in the Maritime Provinces. I have no hesitation in saying that there were at least twenty places regularly selling liquor, and I was told by druggists and others of an enormous consumption of drugs, and a great increase in the chloral and opium habits in recent years.

*Digby*:—Has one hotel with a bar in the cellar, but which serves liquor openly at the table. Other places do not take the trouble of going down cellar.

*By the Chairman*:

18338a. Is it a matter of court record that the election to which you have referred was carried by an enormous expenditure of whisky?—Yes. That was proved in a case which resulted in the unseating of the candidate.



18339a. Did you stay at the same hotel as that at which the Commissioners stayed?—Yes, I was at the same hotel at the same time, and speaking from personal knowledge I can say that there were two bars there and I can also speak as to the business they were doing.

*By Judge McDonald:*

18340a. At all the places named by you from Windsor Junction to Digby inclusive, was illicit sale of liquor going on?—Yes, in all those places.

18341a. And all those places were either under the Scott Act or under the prohibitory clauses of the Nova Scotia license law?—Yes.

18342a. So the sale of alcoholic beverages, would be illegal?—Yes.

New Brunswick's license law is much better observed than that of Nova Scotia. This does not pertain to Scott Act counties, of which there are several. In the city of St. John, for instance, the license law is much more strictly observed than is the Scott Act in Fredericton, though it cannot be said that there is really strict observance in St. John. Probably in both places the people have the degree of enforcement they are prepared to submit to. In connection with St. John, I wish to relate an incident which bears directly upon this investigation, viz., an inability of many men to know what is transpiring all around them. At the sittings in New Brunswick's great maritime port a reverend gentleman, a good Methodist divine, stated, in reply to a question as to whether he knew of any place in New Brunswick where liquor was not sold, that such a place was McAdam Junction. Upon this point he spoke with no uncertain sound, as the evidence taken by the Commission will show. He had been there almost constantly for two years and he knew that no liquor was sold in that burgh. Well, a more unlikely place than this rock-bound desolate junction for the two railways out towards the Maine border in which to find anything contrary to law could not well be conceived, but just to test the matter, the next day, being at McAdam Junction on the way to St. Stephen with the Commission, and stopping at this point for five minutes, I jumped off the train, walked across the platform and addressed the first railway man I met, asking him where I could get a drink. He directed me at once: "Go into the station and turn to the left." I did so, and there, in the very railway depot, was fitted up a snug little bar, at which all and sundry were served, and from which I secured a drink of the worst whisky it has ever been my misfortune to encounter. Now, I fully believe my Methodist friend spoke the truth so far as he knew, but the trouble was, he was talking about something he knew nothing about.

*St. Stephen:*—This town has enjoyed the blessings of the Scott Act for several years. The leading hotel, when I was there, had a bar, and had quietly notified the authorities that if another prosecution were entered into they would close up the place entirely. One saloon down at the bridge, was fined \$50 the day the Commission sat in that town. I went down that evening. Two men behind the bar were industriously serving a large crowd, while the proprietor told me he "would have to hustle for a day or two to make up for that fifty dollars." While here I may dismiss a trip made to Calais, just across the river in Maine, by saying that when once the bona fides of the party were established there was plenty to drink. Only the leading hotel in the place was visited.

*Fredericton Junction:*—Open sale of liquor.

*Fredericton:*—Practically open sale of liquor. The whole enforcement of the law here is a fraud, and a miserable fraud at that. This was the first place in Canada to adopt the Scott Act. It has been maintained ever since, but it has not, if the residents themselves are to be believed, decreased the sale of liquor one iota. There were, at least, twenty-one places selling liquor, not counting drug stores, and while there I saw an order for liquor from one of the drug stores that was something amazing in its proportions. I visited a saloon late on Saturday evening that was running wide open, and was certainly doing a rushing business. Regarding the sale of liquor generally in that city, the authorities have tried fines, they have tried imprisonment, and such imprisonment was a fair sample of the fraud of the whole thing. Yet the sale goes on, and everybody knows that it goes on, and in some places of the most demoralizing character.

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The only check is, that the leading hotels are allowed to sell practically, with a license collected in the shape of fines at certain intervals.

*Moncton* :—In the shire town of Westmoreland County the sale is flagrantly open. There is no pretense whatever of obeying the law. Some twenty-eight places are selling, and the bar-rooms are as wide open as those in any licensed district in Ontario. Withal Moncton is a most orderly place.

*Amherst* :—The county seat of Cumberland has open sale, and one of the largest wholesale liquor establishments in the province.

Even at a little junction where I had to wait for a train connection, Painsec, consisting only of the station and one little house, the said little house contained an elaborate supply of beer which was plentifully sold. So far as I was able to learn, because I visited many other places in New Brunswick besides these mentioned, I do not think there is a single village or place of a dozen houses in that province where liquor is not sold, unless it may be the town of Marysville, which is owned entirely by Mr. Gibson, an ultra-prohibitionist, and which lies convenient to the city of Fredericton, where the residents of Marysville get their supplies.

*By the Chairman :*

18343a. What do you mean by saying that, "Such imprisonment was a fair sample of the fraud of the whole thing."?—Those men who were imprisoned for violations of the Scott Act. They were given special rooms in the jail, or rather in the jailer's part of it, for they were not put in the regular cells; they were allowed to furnish their rooms from their own hotels; their meals were brought from the hotels, a telephone was put in, they kept a visitors' book, and a very large number of persons called on them.

18344a. Did you see the visitors' book?—Yes. They practically kept open house while they were in jail, and they told me that it was their custom to lock up the jail at night when the visitors had left.

*By Rev. Dr. McLeod :*

18345a. You say they themselves told you that?—Yes.

*By Mr. Clarke :*

18346a. You say you saw a visitor's book?—Yes. The prisoners kept it in the jailer's residence.

18347a. How many visitors had they?—My recollection is that the number was something like 1200.

18348a. How long were prisoners there?—Sixty days.

18349a. For what purpose were those visits made?—It really was not imprisonment. The people, I imagine, visited the prisoners to show sympathy with them.

*By the Chairman :*

18350a. What did you understand were the objects of the visits made?—To show that they sympathized with those men who had broken the law.

*By Rev. Dr. McLeod :*

18351a. Do you know to what class those people belong?—Among the visitors were some very fine people, residents of Fredericton.

18352a. Were the people opposed to or in favour of the Scott Act?—I do not know. I know one who spoke to me was opposed to the Scott Act.

*By the Chairman :*

18353a. Do you think the visitors sympathized with men because they had broken the law?—Yes; at all events some of them did.

18354a. Do you think their sympathy was aroused because they felt that the law was an unjust one?—I think so. They thought the law was unjust, and they sympathized with men who were imprisoned for having broken it.

*By Rev. Dr. McLeod :*

18355a. Do you know whether the visitors to whom you have referred were men who had always voted against the Scott Act?—I do not know. I am free to say that among a number of people who spoke to me about this matter, and who had visited the men in jail, the majority had been opposed to the law, and were opposed to it then.

*By Mr. Clarke :*

18356a. Have you any personal knowledge as to the treatment meted out in the jail to offenders against the general laws of the province or the Dominion?—No, I have no special knowledge on that subject, but I suppose it is the same as at any other jail.

18357a. But you have said these men were not treated in the same way as other prisoners?—No.

18358a. You say they were better treated?—They were allowed to treat themselves. They had their meals sent in from the hotel.

*By Rev. Dr. McLeod :*

18359a. Do you know whether other prisoners are forbidden to have meals sent in to them?—I do not know.

*By the Chairman :*

18360a. Were those men who were sent to jail for breach of the Scott Act allowed to use the jailers quarters as they would use their own private residence?—They were.

*By Judge McDonald :*

18361a. Speaking about Fredericton, you have said, "It (the Scott Act) has been maintained ever since, but it has not, if the residents themselves are to be believed, decreased the sale one iota." Can you state who the residents were that you consulted, and from whom you obtained that information?—Probably I spoke to fifty or sixty people or to one hundred, perhaps, in a general way. The bar-rooms are as wide open there as they are in this city of Montreal.

*By Judge McDonald :*

18362a. Did you see any regularly equipped bar?—Yes.

18363a. At more than one hotel?—Yes.

*By Rev. Dr. McLeod :*

18364a. Do you think the residents to whom you spoke, were in sympathy with the traffic?—I imagine they would be opposed to the present law.

18365a. You have already stated that the sale of liquors had not decreased in consequence of the Scott Act?—Yes. I would not expect a man who is a total abstainer to know much about this matter; he is not the man to whom I would go to ask for information.

*By Mr. Clarke :*

18366a. He would not possess the knowledge, I suppose?—It would not come in his way. He would not be such a person as could give any accurate information as to the amount of drinking in any city, for he would not go to drinking places.

*By the Chairman :*

18367a. Do you mean by the sentence, "If the residents themselves are to be believed, the act did not decrease the sale of liquor one iota," that from inquiries you made and answers you received, they indicated in a general way that such was the fact?—Yes.

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*By Rev. Dr. McLeod :*

18368a. General inquiries made from whom?—From citizens of different classes, from those I met.

18369. You have spoken about visiting a saloon that was wide open on Saturday night. Was that the occasion when there was a put up job, as it is called, for the benefit of the Commission?—I never knew of any put up job in connection with this Commission; I never knew that such an allegation was made; but no doubt this saloon was not a put up job—It could not have been.

*By Judge McDonald :*

18370a. Describe the saloon?—It was a room I should say considerably larger than this in which we are now sitting, with a properly fixed up bar, with a counter and bar paraphernalia and it had every appearance of a bar-room.

18371a. Were there packages of liquor there?—Yes, the bar shelves were filled with bottles and there was a pump to draw up the beer from below.

18372a. Was there liquors on the shelves?—Yes. Two men were serving liquor.

18373a. Were people coming in and going out?—Yes, different people, they appeared to be regular customers.

*By the Chairman :*

18374a. Did you see all this yourself?—Yes.

Mr. CLARKE.—I saw all this, having been invited there by an alderman. It is perfect nonsense to say that this was a put up job. One of the aldermen asked me if I would like to see one of the saloons running. I said I had no objection. I tried to find Mr. Gigault. I think you (Judge McDonald) came part of the way and then went back. The alderman took me to the place, and the concern was going just as Mr. Kribs has described.

*By Rev. Dr. McLeod :*

18375a. You have said, Mr. Kribs, "Yet the sale goes on, and everybody knows it goes on, and in some places of the most demoralizing character." What do you mean by that?—I mean to say that there is no check to the demoralizing sale of liquor there.

18376a. You have further said: "The only check is that the leading hotels are allowed to sell practically with a license collector in the shape of fines at certain intervals." On what do you base that statement?—I say this, if a man has a hotel and is allowed to have a bar that is open of access to everybody who comes in, as it was when I saw it, then I say he is allowed to sell. He is no doubt fined occasionally.

18377a. Is there any sort of understanding between the police and the hotel-keepers by which the bar can be allowed to go on?—I do not know that there is an understanding.

*By Judge McDonald :*

18378a. There are the practical results, you say?—Yes.

*By Rev. Dr. McLeod :*

18379a. Is there anything that prevents more than the imposition of fines as punishment for offences against the Act? You say substantially that nothing more is done to offenders except fining them occasionally. Is there anything that prevents the authorities doing anything else?—I do not know.

*By the Chairman :*

18380a. What is there to prevent the police arresting and fining a man every day—Nothing.

*By Rev. Dr. McLeod :*

18381a. Then you do not know anything that prevents the imprisonment penalty being enforced?—No.

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18382. Nor that the authorities are shut up to the penalty of fine for first offence in every case?—I do not.

*By Judge McDonald :*

18383a. Speaking of the hotels, can you say whether at any of those hotels where you saw open bars, there was a procession of people going in and out from the bar?—Yes, plenty of people went in and out.

18384a. Is there anything to prevent a hotel-keeper being summoned for first offence and fined \$50 a day?—Not if anybody took action against him.

18385a. Do you find that the imposition of penalties for the first offence is only spasmodic?—Yes, at certain intervals.

*By Rev. Dr. McLeod :*

18386a. Do you know anything as to what was the condition of Fredericton fifteen years ago?—No.

*By Mr. Clarke :*

18387a. Do you know anything as to the condition of Toronto fifteen years ago?—Yes.

18388a. Is there a great improvement in Toronto now compared with fifteen years ago?—There is no diminution in drinking, but there is great improvement in drinking habits.

*By Rev. Dr. McLeod :*

18389a. They do it deliberately?—Yes.

*By the Chairman :*

18390a. Do you mean to say that they do not indulge to excess?—Yes.

*By Mr. Clarke :*

18391a. Do you know any places in the country where there has not been an improvement?—No, except, perhaps, Yarmouth.

With permission, I will devote a little time to the gem of the sea, Prince Edward Island for the reason that there such prohibition as is contained in the Scott Act has had the opportunity of working under peculiarly and exceptionally favourable circumstances. Prince Edward Island, surrounded entirely by water, the whole Island under the operation of the Act, its neighbours across the Straits also possessing the Act, peopled almost entirely by a rural population, having no large centres of industrial population and only one city of any size, having no "foreign element" of population, having no immigration, its population made up of only two elements, who have lived for generations in the land, and one of them, the French—of notably temperate habits,—having all these it would seem that every one of the usual excuses offered for the non-success of the Act was eliminated. It is not claimed that the officers have not done their duty, or that the courts have been negligent. The Act was carried by immense majorities, and, with the exception of the city of Charlottetown, has been allowed, uninterruptedly, to run its course. Everything, therefore, has been in favour of a successful administration of the law—and yet I venture to say that the Scott Act has been a great failure, and of this it is not far to seek the proof. I had the advantage of studying the working of the Scott Act on the Island some four years ago, and also in 1892, and, therefore, saw Charlottetown under the Scott Act, and under the Police Regulation Act.

*By Judge McDonald :*

18392a. Do you mean to say that the Scott Act was a failure in Prince Edward Island?—Yes. I mean to say that the Scott Act has been a failure on the Island.

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18393a. Do you venture to say that the Scott Act was decidedly a failure on the Island?—Yes.

*By Mr. Clarke :*

18394a. Charlottetown is not under a license law, I believe?—No, it is under a police regulation act. All other parts of the Island were under the Scott Act upon both occasions, and each time I studied the matter with the greatest possible care. First, let me say, that the general character of the Prince Edward Islander is, in the aggregate, most praiseworthy. They are an intelligent, moral and religious people, and when such a people break a law it is for no light cause.

*By Judge McDonald :*

18395a. You have said “they are an intelligent, moral, and religious people, and when such a people break law it is for no light cause.” Do you think that is evidence?—I submit that it is most decided evidence.

The CHAIRMAN.—I think the witness only desires to emphasize the point he makes, namely, that the law has a fair chance of being enforced.

Judge McDONALD.—It is an inference that these moral and religious people break the law.

*By Rev. Dr. McLeod :*

18396a. Would this be implied, that the witness desires to emphasize that the law is broken by such people?—They are not given to sectarian strife, a very large proportion of the Provincial Revenue is spent in providing free education and society frowns most rigidly upon a dissolute life. From such a people might not the best results have been anticipated? Until the time that the temperance teacher became a dictator and, later a coercionist, the people lived in harmony, temperance associations were vigorous, the churches happy in their relations to each other, and drunkenness was comparatively the little known. Now there are heart burnings everywhere, associations are declining, statistics before your Commission will show that drunkenness has increased, the drinker has become, as well, a hypocrite, drink is sold in all manner of places, country places are infested with wayside grogeries, liquor is sold, I believe, in every town and village almost openly, illicit stills are yet unknown, there has been an alarming increase in drinking among the young, the harmony between churches has been destroyed, and vituperation and abuse have taken the place of temperance instruction and mutual confidence. These things I know. But a few weeks (June 25th, 1892) before the visit of the Royal Commission at Charlottetown, the *Guardian* of that city, the organ of the prohibitionists did not hesitate to admit to its columns a communication in which everybody opposed to prohibition was sweepingly characterized as “saloon-keepers, gamblers and other criminals.” I doubt whether the annals of border State politics can furnish anything more infamously untrue than this. Members of the Commission will recollect how a respected clergyman of Charlottetown was stigmatized in the press for the offence of having testified against prohibition, stigmatized in terms that I do not care to set down here. Bishop Courtney is denounced as “unmanly” and so on to the end of the chapter. In a word everybody who cannot see in their way is held up to reprobation “advocate of drunkenness,” “rummies,” “in the rum interests,” etc., etc. A bishop, a judge, a senator, or a keeper of a vile place in the slums are all classed alike. Can it be wondered at that bad feeling is prevalent. So much for one of the beauties of intemperate temperance. How then came the Scott Act to be adopted?—Simply because a little pea rattling around in an empty tin pail can make more noise than a brick of gold locked up in a bank vault. The Scott Act never had either the respect or the support of anything like the majority of the people of Prince Edward Island, and this I will prove. In Charlottetown the Act was carried on April 24th, 1879, by 584 majority, there being polled 1,090 votes, of which 253 were against. On September 17th, 1878, six months previously, 1,813 were polled at the Dominion elections. This shows that 723 possible votes were not polled. In King's County the Act was carried by 1017, a

large majority truly, yet only 1135 votes were polled as against 3576 at the general elections. Over two-thirds of the voters did not vote. In Prince County 2,033 votes were polled, as against 3321 at the Dominion elections, and in Queen's only 1,416 as against 4564. In the face of these figures, is it any wonder that the Act is not successful? Moreover, I state that the real sentiment to-day in favour of prohibition in Prince Edward Island is absolutely insignificant, and I will show you why.

*By Mr. Clarke :*

18397a. Were the same lists used for the Dominion and Scott Act elections?—Yes.

*By the Chairman :*

18398a. What do you mean by the remark you have made, "In the face of these figures, is it any wonder that the act is not successful."?—I mean in this way: An Act of any kind must depend upon public sentiment to support it in order to make it successful, and if public sentiment is not strong enough to poll one-half of the total vote, then the other half of the voters are not strong enough to make the Act successful.

18398½a. I suppose the opponents of the Act had equal opportunity with supporters of the Act to cast their vote?—Surely.

18399a. Were they too indifferent, as regards the whole subject, to cast their votes?—That is my conclusion. I shall speak of that matter further on. It is almost invariably the case that when a vote is taken on a prohibitory law, a very large percentage of the vote is not polled.

*By Mr. Clarke :*

18400a. Is not the explanation this, they do not like to oppose a prohibitory measure?—That does not meet the difficulty.

18401a. Is not that the explanation of the small vote?—No.

*By Judge McDonald :*

18402a. On the repeal vote do not the people come out?—Although they might go to the polls, they would not help to enforce the Act.

An analysis of the cry for prohibition in that province, and this is true of some places besides the Island, resolves itself into four elements ;

(1.) Men actuated mainly by pure motives and a little by the hope that their professions of temperance, may procure them worldly advancement.

(2.) The clergy of certain denominations whose views as to public amusement and private relaxations are of the strictest, and who, as spiritual guides, feel it their professional duty to urge their views without regard to secular consequences. Good men are these and well meaning, as a rule, but usually, sadly and woefully ignorant of the world's ways and doings.

(3.) Certain matrons and maidens, who spare time from domestic duties to "reform" the habits of the age. These follow devoutly in the footsteps of their clergy.

(4.) The usual class known in all communities, who, to gain notoriety, put themselves forward in any current movement.

*By Rev. Dr. McLeod :*

18403a. Do you think this class of people are an unmitigated curse?—I think so.

18404a. Do you think they are a large element in this prohibition movement?—Not more than in any other movement. They are not more specially belonging to the prohibition movement than to any other movement.

18405a. Do you believe any considerable proportion of those favouring prohibition are good people who on all public questions follow the lead of those "making the most noise, most estimable people, but not remarkable for force of character."?—I think quite a number of those in the prohibition rank are not remarkable for force of character. These four classes have, of course, associated themselves with one or other of the temperance organizations on the Island. These are the Women's Christian Temperance Union, the Sons of Temperance, the Independent Order of Good Templars. It is a

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legitimate inference that every person who is really in earnest in wanting prohibition, will be in affiliation with one or other of these organizations. And taking this ground and pressing it upon the attention of the Commission, I find the total strength of the prohibitionists, to be :

	Members.
Womens' Christian Temperance Union.....	400
Sons of Temperance.....	1,920
Independent Order of Good Templars, adults, 1,363 ; juveniles, 517, total.....	1,880
A grand total of both sexes.....	3,200

*By the Chairman :*

18406a. Do you mean that many of these are juveniles ?—Yes.

18407a. Then there are a number of females who do not have votes ?—Yes, and in fact a large number of those who show active sympathy with the cause are of that class. When you take out of the active membership of this organization the juveniles, the lads who would not be able to assist, while they might be willing to do so, when you have taken out the boys and others who for various causes cannot vote, you have a very small proportion left.

*By Judge McDonald :*

18408a. You mean those classes to which you have referred make up two-thirds ?—Yes, at least. The figures for the Women's Christian Temperance Union, are an estimate carefully made, and believed to be a very liberal one. So far as I know they have no published report giving their membership. The figures for the Sons of Temperance and Independent Order of Good Templars are taken from their annual published reports of 1891. Now, sirs, the census figures show that there are in Prince Edward Island, above the age of seventeen, at which age there are members in those temperance orders, 62,024 souls. The prohibitionists number about one-twentieth of these, old and young, men, women and children, and nothing can controvert this fact. They would probably induce many others to vote with them, but upon this one-twentieth would rest the moral obligation of seeing the law carried out, and two-thirds of these would not be available for reasons that I need not specify. Before leaving this branch of the subject, let me refer to a statement I made a short time back, that the temperance societies were dwindling. The Women's Christian Temperance Union I have reason to believe, have declined in strength, but of this I cannot be positive in the absence of printed reports. As regards the others, we have positive information. The Good Templars, after a year of active agitation, 1890-91, actually increased their membership apparently by the grand total of seventy-nine, though I have not found any record of how many they lost, but that, perhaps, is due to my negligence. Over this result they were elated, and sent to the Grand Lodge of Nova Scotia, 9th July, 1892, the following telegram :—

"Greetings received with great pleasure. Have had a good session. Increased membership 79 ; total, 1,363 ; juveniles, 517. May this be a glorious year.

"(Signed), A. D. FRASER."

This result of a year's extra hard labour was not, however, equalled or participated in by the other organization, the Sons of Temperance. The official report of this body, while congratulating the order that it has "held its own," is very despondent in tone. The order (page 9) "has sustained a slight loss of membership"; (page 10) "divisions will and do go down, and it is only by organizing new ones to take their places that we can expect to hold our own;" (page 14) "seventeen divisions report gains of from one to ten, while fourteen report losses of from one to twenty during the quarter," and in the report of the Grand Scribe, on page 15, he says : "Some divisions I find doing well, some fairly well, some holding their own, and others again seemingly in the throes of dissolution.



No new divisions have been organized in the past quarter." I will defy anybody to show me such a report as that in the times when temperance societies were doing temperance work. The Sons of Temperance consist of three divisions and fifty-two subordinate lodges, of which only forty-four are effective. The Independent Order of Good Templars have thirty-four subordinate lodges. A considerable portion of the membership, however, in the country districts is composed of young men and women, not yet settled in life, and who in default of gayer amusement naturally find meeting in the cause of temperance at the lodge room a not unpleasant way of spending the evening, but which cannot for a moment be seriously regarded as having any more moral or political weight, or as voicing the demands of any section of the community, than the meeting of singing classes, which, indeed, in practice they very much resemble.

*By Judge McDonald :*

18409a. Did you find that the theory of the Act was carried out in practice, and, in fact, that no liquor was to be purchased except such as was required for medicinal, mechanical and sacramental uses, and this was purchased on medical certificates?—I did not.

18410a. How did you find the law carried out in operation?—I found that the licensed vendor at Summerside practically sold liquor to anybody who would present any kind of certificate, and that a number of physicians had no hesitation in granting certificates to anybody and everybody.

18411a. What is the quantity of liquor generally covered by those certificates?—All quantities, from one pint up to an indefinite quantity not named.

18412a. Do you mean quantities larger than those mentioned on order prescriptions?—Yes; in many cases no quantity was stated.

18413a. Were a great many of such prescriptions given?—A great many.

18414a. More than were needed?—Yes, some thousands.

18415a. And those were given with the health of the community in an ordinary state?—Yes; some thousands of certificates were given. As to the operation of the Act itself, its most marked feature, aside from its continual infraction, is probably the lamentable deterioration in public self-respect that has followed its adoption. The theory of the Act is, that no liquor is to be procurable in the province (aside from sacramental and mechanical uses) unless as medicine for use of the sick, on a medical certificate from a physician presented to a duly appointed vendor.

*By the Chairman :*

18416a. Do you think that is the theory of the prohibitionists?—The statement is made through the press and from the platform.

18417a. To what portion of the press do you refer?—More particularly to the *Charlottetown Guardian*.

18418a. Is it recognized as a prohibitionist organ?—Yes, as the organ of the prohibitionists of Prince Edward Island.

*By Rev. Dr. McLeod :*

18419a. Is it recognized officially?—I think so. I do not know what constitutes an official organ. I do not imagine there is any subsidy given.

*By the Chairman :*

18420a. To what class do you refer when you speak of a certain class that rejoice in liquor prosecutions?—I refer to men who have been called as witnesses in cases of prosecution under the Scott Act—witnesses for the prosecution. I have a particular case in mind. The man swore he got liquor, and he told it before several people, myself included, that he swore (I forget the terms he used) that he drank something but it was not liquor. They were all laughing because he said there was enough water in the whisky not to injure any one.

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*By Judge McDonald :*

18421a. You have said that some people consider it a joke to escape by hard swearing?—They were hoping to escape by hard swearing. Witnesses called for the prosecution practically became witnesses for the defence, and they hoped by committing perjury either to escape for themselves or to help their friends to escape the penalty of any infraction of the law. Yet this state of affairs pertains pretty much all over the province, and where there is not a licensed vendor there is an unlicensed one where not even the physician's certificate is necessary. The attempt to enforce the law has led to most deplorable perjury. But I would call your attention to this—which I hold to be a fact—that a great deal of this perjury on the Island is traceable to the theory of the prohibitionists that “a law broken with impunity is better than no law at all.” This view is not peculiar to the Island, yet it is strongly upheld by the Island prohibitionists, and their organ, the *Charlottetown Guardian*. The evils arising from such a doctrine are more formidable than any mere question of what quantity of intoxicants are drunk or are not drunk in a given time. It is subversive of all order ; it leads to anarchy, and it brings into contempt all other law. And that this is the case on the Island I believe is beyond dispute. It is an evil seed that has been sown that will yet bring forth even more malign fruit. I know it is to be (with a certain class that figure in liquor prosecutions) considered simply a joke to escape by hard swearing. The public mind becomes familiarized with false swearing, and what was at first an offspring of the Scott Act is too apt to be extended to any case where perjury will answer the purpose. And I think this deplorable fact very much paralyzes justice.

*By Judge McDonald :*

18422a. Nine-tenths of the magistrates called before this Commission have sworn that people tell the truth in other cases and that perjury is confined to liquor cases. You say the effect of this perjury in liquor cases has been to extend it to other cases?—I have no doubt whatever, with all due deference to the magistrates, that the continued influence of these cases on the public mind will lead to perjury in other cases.

18423a. Can you give us any special instance?—No.

18424a. It is simply a matter of opinion?—It is a matter of understanding. It may be that the temperance people, aside from the law, are unintentionally responsible in part for this. The Island has any number of justices of the peace. The Act says prosecutions can be taken “before any two justices.” I will show that all the cases have been tried before about twenty, out of the hundreds of J.P.'s. These twenty were alleged to be the selection of the temperance people, and trial before them was believed to result in conviction as a foregone conclusion. I do not say that this was so, but it was believed in many quarters to be so, and persons going before these courts, having no faith whatever in their partiality, did not hesitate to swear to anything at all, believing that they were acting no more than the court itself. That statement was made to me by several people. I think that probably in a great many cases they were quite wrong in their belief, but their belief had the same effect. They attempted to justify their action in the witness box, on the ground that they were acting no worse than the court itself, for they held it was not an impartial tribunal. I have never heard it charged that the cases tried before the stipendiary magistrates at Charlottetown and Summerside were not disposed of according to the rules of evidence. I have no doubt that this was a result from the manner of the selection of magistrates in the Scott Act counties in Ontario. Another effect of the attempt to enforce the Act is the great increase of drinking among the young. Of this I saw something myself, but perhaps it will suffice to quote a single high authority : In the 1891 report of the Grand Division of the Sons of Temperance, the Grand Scribe, on page 17, says—“Every lover of this country must deplore the fact that the claims of our Order and principles have such a feeble hold on the masses. . . . I think I am quite safe in saying, that not for many years has

there been so much drinking among the young. Hundreds—yes, thousands of our boys are fast going the way that leadeth to death.” And on page 18—“At the present time many of our divisions are languishing, are dying, for the want of a little help—help that is denied us by the fathers of many of these boys. We would save the boys, but they won’t help us; we would save the boys, but they won’t let us.” While I do not believe for a moment that thousands of the youth of Prince Edward Island are going hand in hand calmly down the hill to a drunkard’s grave, the fact that there has been a large increase of drinking among the young men is incontrovertable. I have seen them (quite youths) drinking out of bottles on the cars, in out-of-the-way alleys, behind fences at the exhibition grounds, and elsewhere. And the worst of it was, that they apparently looked upon it as something smart to defy decency and break the law. Finally let me give some few of my own experiences on the Island. I first saw Charlottetown under the Scott Act. At that time saloons were running openly, though there was liable to be a spasmodic effort at enforcement at any time. I saw a number of places selling, was told of a good many more.

I made particular inquiries as to the country districts, and so far as my own observation could go, it confirmed what I was told—viz., that drinking has increased rather than decreased under the Scott Act; and that certainly the form of drinking was attended with much greater danger. In 1892 I again made every possible examination, by personal inspection, by conversation with leading men, and before and since by correspondence. Charlottetown, then under police regulation, had certainly improved in the character of its drinking places, and the statistics showed a marvellous decrease in drunkenness. Throughout the country the state of affairs is growing worse, so far as I can learn. The brewery at Charlottetown has never ceased operation, but has increased its output considerably, and sells upon the Island every gallon that is brewed. Beer was sold regularly on the trains between Summerside and Charlottetown, the same as are cigars or newspapers. In Summerside there are eight saloons, with little or no attempt at concealment, to say nothing of the licensed vendor. The licensed vendor, already referred to, stated that no liquor was sold by the glass in his place. I myself saw scores of people purchase liquor by the glass, and they were served by the vendor. On the race track at Summerside there were many bottles of whisky kept in the horse sheds and stables. One gentleman found his stock had become exhausted, and he called out to another gentleman, “Dr., give me an order for a bottle of Scotch.” The medical gentleman thus appealed to drew out a note book, tore out a leaf, wrote out the desired order, and a boy brought it to the town, returning in a few minutes from the licensed vendor’s with the bottle of whisky. I merely quote this as an example of the ease with which, without visiting the saloons at all, liquor can be obtained by any body who wishes to get it.

*By the Chairman :*

18425a. Were you yourself a witness to this transaction?—Yes.

18426a. When did you visit Charlottetown?—In 1892.

18427a. Under what system was it at that time in regard to the liquor traffic?—It was under police regulation.

18428a. Under the Scott Act, what quantity can they sell legally?—Ten gallons.

*By Mr. Clarke :*

18429a. They could not sell it on the Island when the whole Island was under the Scott Act, I suppose?—No.

*By the Chairman :*

18430a. Could they sell it to any one living on the Island?—Not to any one living in a Scott Act county.

18431a. Was the Scott Act enforced everywhere?—I have no doubt it could not be obtained on the Island.

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18432a. Could it be sold for private use?—It could not be sold on the Island legally.

18433a. Are we to understand that beer was sold for exportation from the Island?—No.

18434a. Then sale went on openly at this brewery for consumption on the Island?—Yes.

18435a. Was the owner of the brewery prosecuted?—I think I heard there was one prosecution, but on that point I am not very clear.

18436a. You have no particulars in regard to it?—No. I have particulars in regard to this, that the brewery never ceased operation, but increased its output.

*By Rev. Dr. McLeod :*

18437a. Did it not change the character of its product?—No.

18438a. Did it not sell its product under a different name?—No.

*By Mr. Clarke :*

18439a. Was it the contention of the brewer that the beer he manufactured was not intoxicating?—I never heard such a contention put forward.

With reference to illicit distillation, I forgot to refer to the case of one Jos. McLelland, a blacksmith at Little Harbour, lot forty-six, who manufactured a famous beverage known as "Jack the Ripper brand" of illicit whisky. He was finally seized upon by Excise Officer Borradaile, of Halifax, and fined \$100 or six months imprisonment, at Charlottetown. Lastly, I have this to say of Prince Edward Island. The census of 1871 shows a population of 94,021; that of 1881, 108,891, an increase of 14,870 in the decade; that of 1891, 109,088, an increase of only 197 in the ten years. Prohibition was not in force in the first ten years, and it was in the last.

*By the Chairman :*

18440a. Is it your opinion that prohibition which existed on the Island led to a stationary condition of the population?—I think it was a contributing cause.

18441a. In what way?—You may reason that out from experience in regard to other prohibition places. It may be that some people have a prohibition community because their objection to prohibition is so strong that they will not live in it, and it may be that the closing of licensed houses causes also some loss of population, but the fact remains that prohibition communities, whether in Prince Edward Island or elsewhere, do not obtain that accession to their population that other communities do.

18442a. Then I judge from your evidence that you consider that there was no difficulty in getting liquor on the Island at any time even during the continuance of the Scott Act all over it?—I do not think so.

18443a. Then it was not the absence of liquor which had any improving influence on the population?—By no means. But there are many people who, while opposed to prohibition, will not enter unlicensed places or take illegal means to get liquor.

18444a. Do you think the fact of prohibition prevailing on the Island led any one to leave it?—I do not know of specific instances, but there is the fact that not only in the Island but in other places where prohibition has prevailed, there has been but a trifling increase of population. Do you think it had any effect in deterring people from going to the Island?—I feel quite satisfied it had. The Island during that decade did not keep the population it had.

*By Mr. Clarke :*

18445a. You have said that prohibition communities do not increase as rapidly as license communities?—Yes.

18446a. Can you apply that rule to the North-west Territories?—Yes.

18447a. What was the increase of the population of the Territories from the time prohibition was enacted until it ceased to be in operation?—You can hardly take the North-west Territories as a guide.

18448a. And I suppose you cannot take the Island either?—The North-west Territories never had a license law till two years ago.

18449a. They have had prohibition and yet population has flowed in there?—No doubt.

18450a. But the percentage was greater than in any other part of the Dominion?—No, it was largest in Manitoba.

18451a. But the percentage was very large in the North-west Territories, I believe?—Yes, but not very large intrinsically, because the actual number of inhabitants was so few.

18452a. Has not the decline in the fishing, shipbuilding and shipping trade had to do with the non-increase in the population of Prince Edward Island?—They were factors in it, possibly. But these do not affect other prohibition places, and it is known with certainty that trade has declined in other prohibition communities.

*By Rev. Dr. McLeod :*

18453a. Do you think the fact that prohibition existed in the Island prevented an increase in population?—It is, of course, only a deduction that you can make.

In the Province of Quebec I have seen the operation of the Scott Act in three counties. In the county of Chicoutimi my observation was confined to the town of Chicoutimi. I certainly would not have known that the Scott Act was in force there, had I not been so informed. In some places in the County of Richmond the Act is fairly well observed, as for instance at Danville, where I think very little liquor if any liquor, is sold. In other places the condition of things is quite contrary. It all depends upon the sentiment of the people in the different localities. I found no place in Brome that I visited where liquor could not readily be obtained by a stranger, but it was sold secretly—that is, the bar-room door was kept locked. The temperance sentiment, undoubtedly, is strong in Brome, but Mr. Myer, who voted against prohibition in 1891, was re-elected by acclamation for that constituency in 1892. Many districts in the Province of Quebec have no licenses issued. These are in the main small country parishes, within reasonable distance of large towns as a source of supply. There are any number of small country districts in Ontario without licenses, simply because the convenience of adjacent towns and villages having licenses renders them unnecessary in those particular localities.

I have been so astounded at some of the statements made regarding the working of the Scott Act in Ontario, that I hope you will allow me a minute or two in which to relate certain facts. For instance, I could not have been more amazed than at the evidence given in my hearing by Rev. Dr. Brethour, concerning Halton, and given too, in all apparent sincerity, as to the absolute stopping of the sale of drink in that county. The reverend gentleman related a story of a man who drove all through the county and could get no liquor. I had seen the same story printed in Scott Act campaign literature, but never dreamed the Rev. Dr. Brethour could be deceived by it. At about the time he spoke of, I myself took a trip into Halton, in fact took more than one journey into that county. Upon one occasion, right in the midst of the second Scott Act campaign, I was sent to Milton, the county town, to report a series of prohibition meetings that were being held there. Ex-Governor St. John, of Kansas, was there, and also that famous Nebraska gentleman, John B. Finch. The Rev. Dr. Brethour presided at this meeting, and the Scott Act workers were gathered together from all parts of the country, and in fact from all parts of Ontario. I was there from Friday until Monday. The train I went out on from Toronto was loaded with temperance people going up to the meeting. The baggage car was also loaded, with either fourteen or sixteen barrels of beer, I forget the exact number. These barrels were unloaded on the platform while the train stopped, and were carried down town without any secrecy. This led me to start a little investigation of my own, and that night I went around the town of Milton. I saw very many places, and was in very many places, where liquor was sold. On Saturday night there was a great row—a drinking riot—and some people were hurt. Sunday differed from the preceding two days only in being a little worse—that is, I

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saw more drinking going on. I myself saw more than one drunken man reeling on the streets of Milton that Sunday. There was a big bar running in the very hotel occupied as the Scott Act headquarters, or at least where the headquarters of the organizers were. This, be it remembered, was in the height of the campaign, and with a monster temperance demonstration being held in the town.

*By the Chairman :*

18454a. You have said that the train was loaded with temperance people going up to the meeting. Were there any others than temperance people on board the train?—Yes, a large number of Toronto temperance people went up to attend the meeting, and some stayed over till Sunday. I was at Milton on two or three occasions. I was also at Oakville and two or three other places. I am satisfied that most valorous efforts were made in Halton to enforce the Act, but it was simply impossible. It has been contended that, even as it was, crime was diminished and drunkenness decreased in the County of Halton under the Scott Act. The following table shows how utterly astray that statement is :

The Act went into force 1st May, 1882. Repeal carried 1st March, 1888 ; went out of force 1st May, 1888.

*Committals before Halton Magistrates.*

	Assaults, Threatening Language, Larceny and Trespass.	Dis- Drunk and orderly.	Miscellaneous.	Violation Liquor Laws.	Total Convic- tions.	Convictions for other than breach of Liquor Laws.
1879.....	37	5	9	4	55	51
1880.....	26	8	22	3	59	56
1881.....	17	15	11	2	45	43
1882.....	21	2	28	18	69	51
1883.....	9	5	5	28	48	19
1884.....	20	11	17	31	79	48
1885.....	20	15	55	19	109	90
1886.....	18	11	26	27	82	55
1887.....	19	15	51	47	132	85
Average of the last three years before the Scott Act.	26 $\frac{2}{3}$	9 $\frac{1}{2}$	14	3	53	50
Average of the last three years of the Scott Act.....	19	13 $\frac{1}{2}$	44	31	107 $\frac{2}{3}$	76 $\frac{2}{3}$

During the years of the Scot Act I observed its workings in the County of Wellington, at Guelph and other places. The law was in most instances a dead letter, and nowhere could there be considered fair enforcement.

I was in the County of Bruce, at Walkerton, where the law was simply laughed at, and at Hanover, which is peculiar in this respect. The county line as between Grey and Bruce splits the village of Hanover in half. When the Dunkin Act was in force in Grey the residents of the Bruce section of the village crossed over on Sundays into Grey to obtain their liquor, and when the Scott Act was in force in Bruce the inhabitants of the Grey section returned the compliment. Practically, the only effect of the prohibitive law that could be observed in either county was that on Sunday the liquor selling went on the same as on a week day.

I visited the County of Simcoe, at Barrie and at other places. The law was a dead letter there.

I was detailed to go with Messrs. Wiman and Butterworth in 1887, when they made their Commercial Union tour through Canada, attended all their meetings, and with them, and at other times, visited such towns as Orangeville, Arthur, Drayton, Port Hope, St. Thomas, Chatham and other places. In none was there any observance of the law such as might be considered enforcement.

I was in Carleton County during the time of the Scott Act there. I have been along the roads spoken of by Mr. J. K. Stewart as having had the bars closed, and I

am afraid Mr. Stewart cannot be considered a very good judge. The law was practically a dead letter in all parts of Carleton County in the last two years of its existence.

The causes which led to the overthrow of the Scott Act are not far to seek and are exceedingly simple. The Act was a failure from the start. It seems to be the especial province of all such laws to be tinkered at, as witness the Maine law, which has been amended 46 times in 40 years; so was the Scott Act. It was amended and re-amended until as it stands to-day it is a positive disgrace to the Statute-book of any free, civilized country, but it never was a success and never could be made a success. And this is the secret of the success or failure of all legislation, whether license law, prohibitive or otherwise.

To show that the Scott Act has almost invariably been carried by a minority, I have here a statement showing (1) the name of each county or city in which a vote was taken on the Scott Act and the date of the voting, (2) the number of votes on the list at the time of voting, (3) the votes polled for the Act, (4) votes polled against the Act, (5) majority for or against the Act, (6) total of the votes polled (7) total votes polled at the nearest Dominion election. This statement, which is perhaps too bulky to be placed upon the record, is at the service of the Commission; but I shall here extract a few instances to illustrate my contention. Starting first with Nova Scotia—for this argument will apply to the whole Dominion—take the case of Cape Breton County, The Act there was carried by 523 majority, yet only 955 votes were polled as against 3,071 at the nearest Dominion election. For New Brunswick, take Westmoreland for instance, there the Act carried by 783 majority, but only 1,381 votes were polled as against 4,500 at the nearest Dominion election. I may remark here that this statement shows that where the full vote or nearly the full vote was polled the Act was almost always defeated; but even where it was not, and was carried by a small majority, the result was the same, as for instance the city of Fredericton, which on the least occasion polled 672 votes for the Scott Act as against 683 in the Dominion election; and yet the Act is as flagrantly violated in Fredericton as it is almost everywhere. In Prince Edward Island take the case of Queen's County which gave the large majority of 1,218 for the Act. Only 99 persons voted contra, and 1,416 votes were cast as against 4,564 in the Dominion election. In Quebec the differences are not so marked. Chicoutimi for instance polled 1,686 votes in the Scott Act and 2,517 in the Dominion elections. In Brome the figures were 1,963 and 2,761; and in Richmond 1,952 and 2,625. In Ontario numerous examples could be cited, but it will do to take the banner county Halton. When the Act was first carried the majority was 81, the total polled 2,885, as against 3,561 at the Dominion election. When the Act was repealed, majority against 197, 3,900 votes were cast as against 4,435 in the Dominion election. The voters on the roll in the meantime had increased from 5,275 to 5,670. On the other hand, Hamilton, which polled 4,472 at the Scott Act election as against 4,860 at the nearest Dominion election, nearly the full strength defeated the Act by seven. In Manitoba, Marquette polled only 807 votes at the Scott Act election, as against 2,253 in the Dominion election; and Lisgar 367, as against 1,480. The Act never came into operation in either county.

The figures tell the true story of the failure of the Scott Act. The people generally did not want it, would not support it, and in Ontario repealed it at the first opportunity. In the Maritime Provinces it is still tolerated.

Manitoba is chiefly notable because there we first heard of those two bright examples of prohibition, Pasadena and Riverside, California. It was there too, that we heard of the place in Kansas where the law was so well enforced that a person had to drop down into a cellar and crawl through a subterranean passage to get whisky out of a tin cup. A careful survey has failed to locate that town. Manitoba, too, is alleged to be strong in prohibition sentiment. They carried the Scott Act in two counties away back in 1880-81, but never brought it into effect.

*By the Chairman:*

18455a. You say that the Act never came into operation either in Marquette or Lisgar in Manitoba?—Yes.

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18456a. Are you perfectly sure of that?—Yes.

18457a. Have licenses been issued in those two countries?—Yes, licenses have been issued since. I can speak positively from personal knowledge with regard to Lisgar, but I also think it is the same as regards Marquette.

18458a. You say that the Act never came into effect, and that in regard to the question of licenses being issued you can only speak positively in regard to one county?—Yes, in regard to Lisgar.

18459a. But you believe licenses have been issued?—I believe licenses have been granted in Marquette as well. They have tried local option in various places without success. They carried a plebiscite by a large majority, but they have done nothing with the plebiscite. I have met many liquor dealers who voted for that plebiscite on political grounds, and I have met scores of Government supporters who declared that they would vote against the Government if they dared attempt to pass a prohibitory law, though they had all voted for the plebiscite.

I need not go into details regarding the North-west Territories, but I wish to point out that the large extension of the permit system in later years, did not lead to the breaking down of the prohibitive law. On the contrary, it was only the safety valve afforded by the free use of permits that rendered possible such small observation of the law as did exist. But whether or no, no amount of sophistry, no excuse for this or extenuation of that or explanation of the other thing can alter the fact that this law, most rigorous in all its provisions, tried in a sparsely settled country wherein communication with the outside world was most difficult, having at disposal for its enforcement, not only the ordinary officers of the law, but also an armed mounted force of over one thousand men, failed to prevent the importation and consumption of liquor, and was repealed upon the first opportunity offered to the people, and when its repeal was made a leading issue at the polls. The favourable circumstances under which prohibition was attempted in the North-west are unparalleled in the history of such legislation, the completeness of the failure is equally unparalleled. Before leaving the North-west, I should like to add to the records of the Commission the evidence of Rev. Dr. Chas. A. Berry, the celebrated divine, from Wolverhampton, England, who will be best remembered on this side of the Atlantic as the successor for a short time of the late Rev. Henry Ward Beecher. The Rev. Dr. Berry made a trip through the North-west, and describes his experience in a magazine entitled "The Young Man," which is published, I think, in both London and New York, and a copy of which I herewith present.

In British Columbia we saw a sober community, prosperous, hard working, but with practically nothing in the shape of repressive liquor laws, even Sunday closing only a name.

It is one of the peculiarities of our prohibition friends, that whenever asked to point out a place where prohibition has proven successful they refer to some district a very long distance away. In Manitoba, all prohibition hopes were centered upon Southern California and some unknown places in Kansas. In all that long distance from the Red River to the Pacific Coast we saw nothing in favour of prohibition. On the Coast I learned of the prohibitive law in Alaska, but nobody contended that there was anything favourable to prohibition to be found there.

I then started south 1,100 miles to San Francisco, through Washington, Oregon, and California. Outside of Oaklands, opposite San Francisco, there are a couple of prohibition municipalities, which I discovered only accidentally. I may say there was no need for investigation there, as the sale of liquor was quite open. Then we went about 400 miles further south to Los Angeles, and still 60 miles to that alleged haven of prohibition, Riverside.

Riverside is an orange grove in the midst of a desert, and most certainly if the people wanted prohibition they could have it. They had tried it for one year, and then had gone back to the old system, except that they had increased the number of saloons. I had come nearly 1,600 miles, and had found two licensed saloons in full blast.

Pasadena was the other Mecca of our prohibition friends. This is simply a residence or suburb of Los Angeles, eight miles distant, with train running between the two places every half hour or so. A prohibitive law of some sort was supposed to be in



force. The hotels sell liquor to guests, furnish liquors at the tables openly, and have wine cards. The restaurants have beer pumps, and are allowed to sell beer and light wine. The big winter hotel there, the "Raymond"—absolutely refused to close its bar during the season, and the proprietor told the authorities that if the bar was closed he would close the whole hotel. Thereafter he was not interfered with. There is a street railway running through the town, from one side of the municipality to the other, about fifteen minutes ride, and at each end of the street railway, just outside the limit of the town, there is a saloon. So that under this famed prohibition in Pasadena, the traveller is served at the hotel, the citizen is served at the restaurant with lighter drinks, and with anything he wants at the two saloons mentioned; or he brings out from Los Angeles his supplies—and the guests at the "Raymond" can stand up and drink at the bar the same as they can at any licensed hotel in the country. So much for prohibition in Southern California; there are other places in Southern California—for instance, Ontario where the law is said to be casually observed; Redlands where it is not observed at all; and San Bernadino, midway between the two, with licenses and plenty of them. But even had it been found out that the law was well observed, what argument could be deduced from the experience of these small cases in the midst of the great sand deserts of Southern California? While on this point I may say, that on the return trip I stopped, among other places, at El Paso, a frontier town of mixed population. In that town (a place of some 30,000 people) they license a saloon at \$600 a year, a gambling house at \$600 a year, and a house of ill-fame at \$800 a year. This is, as I have said, a mixed population, where licensing is carried to the extreme, yet there was no more drunkenness visible than in Ontario or a Maritime province town of the same size.

But now I come to the great Prohibition States. During my visit to Kansas, the *Lawrence Journal* published this: "The testimony given had not been published, but it is safe to say that when the Commission returns to Canada, whatever else it may report, it will declare that Kansas has more bigger liars than any country on earth." Probably a Kansas newspaper knows the character of the population of that State, and, I had better, therefore, depend more upon what I saw, than what was told me.

Take, first, Kansas City. Kansas City is principally located in Missouri, and with a 40,000 population section in Kansas. The Missouri part of the city is held to be bad. The Kansas portion of the city is undoubtedly, infinitely worse. Open gambling houses and pool-rooms are prohibited in Missouri; they are open day and night in Kansas. I spent a portion of the Sunday in the Kansas part of the town, going to a park. At this park, under Kansas Prohibition, beer labelled "Malt Extract" was sold right along. There was a base ball game, a baloon ascension, an exhibition of acrobats and tumblers, two bands, a dancing platform, boats for hire on a little pond, and a zoological garden. I never saw anything to equal this in a licensed State. In the city, I speak of, the Kansas City, the pool-rooms are not open because there are no Sunday races, but the bars and the gambling dens were in full swing. Perhaps I may describe one place in Kansas City, Kansas, as a sample. A large building, the lower flat of which may have been at one time a warehouse. Along one side of this lower flat were blackboards and telegraph instruments, and all the paraphernalia for the selling of pools on races. Running down a large portion of the opposite side of the room was a bar, fitted out just as any ordinary bar is, only of slightly larger dimensions than is ordinarily seen, with several bar-tenders. The room was filled with from two to four hundred men betting upon the horse races, and drinking at the bar. The place, of course, was wide open to the street, the flat above being devoted to gambling purposes open of access to anybody, having probably thirty different gambling devices in the shape of faro, roulette, and other tables and well filled with patrons. This is not an isolated instance by any means. Another bar-room in Kansas City, Kansas, had for the sign "Merchant Tailor," other gambling-houses were not attached to a pool-room, other pool-rooms did not have a gambling-house attachment; but I will venture to say, that every pool-room, and every gambling-house had the facilities for selling liquor. These people were all protected from the law by paying a monthly fine.

It has been said that liquor could not be sent into Kansas from outside and safely delivered to customers. Before leaving for the interior of the State I saw an advertise-

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ment in a Kansas City, Missouri, newspaper, stating that Druggist so and so did a special Kansas trade. I went to this druggist's place, which is immediately opposite the depot, and to test the matter of the importation of liquor into Kansas, purchased two small jars of whisky which I had addressed to the most prominent prohibition towns we had been told of in the State—one to Topeka and one to Ottawa. Both arrived promptly on time and were delivered, the one at Topeka being even delivered at the bed-room of the hotel.

*Topeka.*—A place of 35,000 people, a nice, clean town. The law of prohibition was better observed in Topeka than in any other place I have ever visited. Not that there is any difficulty in getting what liquor he requires, or may want, but there is not an open flagrant violation of the law. A druggist will sell to you if you will state that you want it for illness, hotels will deliver to your room whatever you order. There are a number of club-rooms, and there are not a few joints. Look at the number of druggist certificates issued in one year, totalling, if my recollection serves me, over 7,000. And here let me say that the number of druggist's certificates returned to the Probate Court Judge, represent but a small portion of the liquor sold by druggists, because where one printer can print a certificate, another printer can print a duplicate of it, or ten thousand duplicates if required. I know that this is done, and largely done, I have said that Topeka was not without joints. From a copy of the State Journal published in that city, of December 26th last, I learned that there were on Christmas day 36 arrests, 17 of which were charged with drunkenness, and all the rest, with two or three exceptions, being due to drinking. The record of the police court on Christmas morning, and the morning after, is something remarkable. There were cases of violent and disorderly conduct, women assaulted by men, in one case a man knocked senseless by a beer mug, and numerous fights and brawls. Commenting upon this the State Journal says: "With over thirty cases of drunkenness in two days' session of the police court, the police authorities should be led to inquire into the cause of the drunkenness, and the probable place where the men and women get their liquor. They hardly sent out of town for it, as they are mostly a set of loafers who don't know enough to get liquor by express. Some of them can scarcely write. Probably a great deal of it came from the drug stores, but more of it came from the joints. People who patronize joints say that Topeka is more joint infested than it has been for a long time, and these thirty drunks would give some strength to the assertion."

To fully appreciate the position Topeka takes, and the difference between that city and other Kansas towns, it must be remembered that the capital never was a border town. It was settled at the time of the old Free Soil agitation, by the remnant of the Blue law agitators from New England, who brought with them a very strong temperance sentiment. I think it is Brigg's History of Kansas which tells of the mobbing, a great number of years ago, of a German who tried to start a saloon. This was in the early days. The poor man escaped with his life by hiding in the river with his head concealed behind a log.

I visited Salina, the centre of the great wheat belt of Kansas, a country town of 5,000 or 6,000 people, and a nice place. I was told to go there by prohibitionists, as a place where the prohibitory law would be found to be working well. Upon arrival at the town I went first to the justice of the peace's court-room, where a trial of a liquor case was in progress. The prisoner was a noted character, and was being tried by a jury of his peers. The District Attorney prosecuted and there was a lawyer for the defence. The jury took some hours to come to a conclusion, but finally returned a verdict of guilty. Speaking to the presiding justice after the trial, I was surprised to find him expressing great satisfaction at having secured a conviction, and from him, learned, that this was the first conviction he had obtained in a liquor case during his term of office. The only reason, it seemed, why the verdict of guilty was given in this instance, was because they wanted to get the man out of town. He was rather a tough case, and the people were tired of him. In consequence, I believe, he was allowed to go without paying his fine. I interviewed Mr. R. A. Levitt, the District Attorney, a prohibitionist, and a very sensible man. He told me that in two years he had had twenty arrests of liquor dealers, but found it especially difficult to obtain a conviction.

He said he tried to avoid jury cases because the jury could not be depended upon. He was evidently a good man, trying to do his duty, but found it impossible to enforce the law. I also interviewed J. B. Hutchison, the City Attorney. He had lived in Houlton, Maine, and practiced law there ten years ago. He had been in Selina since 1888. He said the law there did not prohibit, and advised me to watch the express office for a day. It was nothing, he said, to see a one or two horse dray load of beer distributed about in broad daylight. (I afterwards did see such a dray load being distributed.) He spoke of the tendency of the law to produce perjury, saying that it was almost impossible to procure credible evidence. He further said, that he was going to have a liquor dealer arrested that night, and added: "If he did not sell 'White Eye' he would not be in this trouble." "White Eye" I discovered to be a particularly pernicious drink, being composed mainly of pure alcohol of the cheapest grade. The man, I saw by the papers next day, was arrested that night. That evening I was shown about the town in order to see for myself as to the enforcement of the law, and the persons chosen to escort me was the chairman of the Republican County Association, which Association, of course, supports the prohibitive law. I saw the son of this man, who is an agent in the town for the beer firm. He said he brought in 600 dozen of beer per week on an average, and often from 100 to 250 dozen for a single holiday. These men all laughed at the idea of the law being enforced. My conductor, the republican chairman, explained carefully to me that there was a great difference between the workings of a party and the observance of a prohibitive law. I visited, in his company, probably a dozen places that sell liquors, and I have no doubt that the statement made to me, that there are 42 in all the town, was quite correct. Many of these places were quite open, quite as much so as the ordinary saloon in Toronto, although they do not have a sign up. One man I was introduced to ran eight or ten joints, as they are called, he being the proprietor, and keeping a manager at each place. The Knights of Pythias Grand Lodge of the State was in session at Selina at the time of my visit, and the ladies connected with the organization had a room for a reception place opposite one of this man's joints. So as not to inconvenience them, and at their request, he closed the joint while the Grand Lodge was in town. This was thought by the citizens to be a very decent thing on his part, and was very favourably commented on. A short time before my visit the Fire Brigade held a holiday, and had games and sports at some place close at hand. In connection with their games they ran a beer garden, selling beer to all who wished to purchase, the understanding with the authorities being that they were not to be interrupted. Some of the temperance people protested, but they were looked upon by the general community as going too far. I saw the express agent, and his figures, so far as he would give them, corroborated the statements made as to the immense amount of liquor brought into the town weekly. In confirmation of this I herewith submit a statement made by a citizen of the town whose character is vouched for by the positions of public trust he has held.

At this place, and on my journey throughout and back, I spoke with gentlemen from Junction City, Lawrence, Fort Scott, Wichita and numerous other towns. All of them were said to have much less observance of the law even than Salina. I myself saw that this was the case in Junction City.

After being assigned to my room at the hotel in Leavenworth, I walked into the office and said: "What do you do in this town when you want to get a drink?" "Why, walk into the bar and get it," was the reply. This accurately describes the condition of affairs in Leavenworth. After a somewhat considerable effort at enforcing the law, the authorities have given up the contest in this city, and the saloons run openly under the sanction of the municipal authorities. The place is filled with open saloons and with gambling dens. I visited a sufficient number of these to ascertain that what I was told was perfectly correct, and found the saloons to be practically of the character of those in any licensed state, some of them being elegantly fitted up, others again of a lower grade. There are two or three clubs, but these are ordinary social clubs that one would find in any city. The sale of liquor in them, of course, is confined to members, but is equally contrary to the law with the sale of liquor in

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saloons. The hotel at which I stopped had a very commodious bar-room, and on another flat, in a separate building, but connected with the hotel, and owned by the same proprietors, a commodious gambling room. The manager of this, when I visited it, it being somewhat early in the evening and business not very brisk, very kindly explained to me the different games. Seventeen different games were carried on in this establishment. Leavenworth has lost very largely in population since the passage of the prohibitory law. In part, that was due to the fight made by the State authorities to compel observance of the law, but in a greater degree, I imagine, to the building up of Kansas City, Missouri, which drew away from Leavenworth the trade of the river.

The population of Kansas (census returns) increased 173 per cent from 1870 to 1888, and 43 per cent from 1880 to 1890—Prohibition from 1881. Not only has there been this decreased percentage, but in 1889-90 there was an actual falling off. The figures are :—

1880.....	*996,096
1885.....	†1,268,530
1886.....	†1,406,738
1887.....	†1,514,578
1888.....	†1,518,552
1889.....	†1,464,914
1890.....	*1,427,096

\*U. S. Census.

†State Census.

Regarding the alleged diminution of crime (of which I have heard a great deal). Specimen claims are :

Governor John A. Martin : "The abolition of the saloon has enormously diminished crime."

Attorney General Bradford : "It is depopulating our penitentiary, and reducing crime and pauperism to a minimum." (See Bradford's letter to Governor St. John, which I hand in).

*Capital-Commonwealth*, of Topeka, official organ of prohibition : "Drunkenness and crime has diminished eighty per cent since the saloons were closed in Kansas."

Prohibition pamphlet "does prohibition prohibit" : "All jails show a marked falling off in the number of prisoners."

What are the facts? According to the United States returns, Kansas had more prisoners in its penitentiary and county jails, in proportion to its population, in 1890 than it had in 1880. The proportion was in 1880, 893 prisoners per million of population, and in 1890, 946 prisoners per million. Moreover, of all the twelve States in what is known as the "Northern Central" group, Kansas had in 1890 absolutely the largest ratio of prisoners to population. On the other hand, high license Nebraska shows a decrease of from 738 in 1880, to 576 in 1890. Even the much talked of and berated Missouri, and Illinois with all the wickedness of Chicago, make a better showing than Kansas. I append the twelve States with the number of prisoners in penitentiaries and county jails per million of population.

Ohio.....	587
Indiana.....	858
Illinois.....	708
Michigan.....	720
Wisconsin.....	519
Minnesota.....	492
Iowa.....	497
Missouri.....	823
North Dakota.....	841
South Dakota.....	841
Nebraska.....	576
Kansas.....	946

Average 670.

Admissions to Kansas State Penitentiary from 1870 to 1890, year ending 31st January.

License.		Prohibition.	
1871.....	127	1881.....	487
1872.....	173	1882.....	196
1873.....	155	1883.....	252
1874.....	148	1884.....	295
1875.....	248	1885.....	321
1876.....	173	1886.....	396
1877.....	170	1887.....	415
1878.....	227	1888.....	360
1879.....	256	1889.....	375
1880.....	131	1890.....	331
1,808		3,428	

The population increased from 1880 to 1890, 43 per cent, the penitentiary population nearly doubled. Or take it this way. In 1870, the population of Kansas was 364,399; 1880 the population of Kansas was 996,096; and in 1889, 1,464,914. During the first term there was one committal to the penitentiary for every 343 of the increased population, and in the latter period one for every 130 of the increase of population. This would seem to disprove the theory that good people flocked to Kansas to be under prohibition.

There have been confined (authority published statement by Charles Willis, attorney-at-law, Wellington, Kansas), in Kansas penitentiary during the ten years 1881 to 1890, for murder in the various degrees:—

Murder in first degree.....	59
“ second “.....	75
Manslaughter in first degree.....	21
“ second “.....	30
“ third “.....	24
“ fourth “.....	31
Total.....	240

Ontario, under license law, makes a very good showing beside this; not only so, but the paupers in the almshouses per million of population increased in Kansas from 356 in 1880 to 416 in 1890; while in Nebraska they increased only from 250 in 1880 to 275 in 1890.

If the penitentiary and the county jails in the Northern Central group are taken separately, Kansas with 643 penitentiary prisoners per million of population stands second but almost equal to Indiana, which had 646 per million. But for prisoners in county jails Kansas shows by far the highest ratio, 303 per million, Indiana coming next with 212. These are the figures for 1890. In 1880, before Prohibition, Kansas showed better, standing third in the group with a ratio of 203 prisoners in county jails per million, and second with 690 per million for penitentiary prisoners.

The official biennial reports from the Kansas State Prison show the daily average number of prisoners in the years named. (Year ending June 30th.)

1879.....	538
1880.....	647
1885.....	764
1886.....	837
1887.....	934
1888.....	938
1889.....	892
1890.....	889
1891.....	894
1892.....	902

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A jump from 548 under license to as high as 938 under prohibition.

The sixth biennial report of the State Reform School at Topeka, to which juvenile offenders under sixteen years of age are committed, shows that the number of inmates was : June 30th, 1890, 186 ; June 30th, 1892, 220.

The official reports show that the number of admissions to the State Reform School have increased from forty-nine in 1881 to 117 in 1892. The Board of Trustees of the State charitable institutions in their last report said of this school, as well as of other institutions under their control, that it was "full to overflowing," and strongly urged that its capacity should be increased.

Much is made of the statement that certain county jails in Kansas are at times vacant. On June 1st, 1890, twenty-one out of 106 counties in Kansas had no prisoners in their jails, while at the same time in Nebraska thirty county jails were empty out of a total of ninety counties. (U. S. Census Bulletin No. 95, page 10.) Right here I may as well throw out this suggestion, that there cannot be found under any law, in any State, Province or Territory in the United States or Canada, any county that, in the matter of arrests of all kinds, or of different kinds, committed to jail for different crimes, and frequency of intervals when the county jail has no inmates and absence of poverty, can compare with the County of Waterloo, Ont., a county that possesses a large distillery, eight breweries, and in which the wildest enthusiast has never yet dreamed of attempting to introduce a prohibitive law.

Number of persons in Kansas who paid United States Internal Revenue tax to sell liquors : 1891, 3,336, United States Statistical Abstract, p. 214 ; 1892, 2,500, United States Statistical Abstract, p. 218. This gives one liquor dealer to every 450 and 600 inhabitants, respectively.

The records of the collector of Inland Revenue for 1890 show that Atcheson took out 68 United States revenue receipts for the sale of liquor, Argentine 25, Arkansas City 28, Abilene 20, Burlingham 8, Beloit 11, Coffeyville 14, Clay Centre 9, Dodge City 11, Emporia 16, Eldorado 10, Ellsworth 11, Fort Scott 52, Galena 20, Harton 21, Hayes City 16, Hutchison 24, Independence 11, Junction City 25, Kansas City 78, Leavenworth 114, Lawrence 23, Lexington 15, Newton 22, Osage City 10, Parsons 20, Pittsburg 35, Salina 20, Topeka 61, Wichita 127.

Allow me to draw attention to the extraordinary number of gold cure institutes in Kansas. These institutes cannot flourish except where there is hard drinking. I am told that there are over fifty of these institutes in Kansas, but have no statistics to vouch for it. I know, however, that there are very many, and I wish to cite one instance. Madison is a town or village of 1,000 people, and at the last municipal election every successful candidate, from the Mayor down, was a bi-chloride of gold graduate.

Regarding insanity ; from November 30th, 1870, to June 30th, 1880, ten years prior to the enactment of the prohibitory law, there were 760 insane received into the State asylum at Ossawatimie.

From June 30th, 1880, to June 30th, 1890, received at Ossawatimie 1,479 patients, and at Topeka asylum, 1882, a total of 3,301.

During first period, average of one to every 1,301 inhabitants, and one to every 830 inhabitants of the increase of population.

Second period, average of one to every 443½ inhabitants, and one to every 141½ of the increase of population.

Increase of population first period 631,697 ; second period (1889) 468,818.

To those who still hold a lingering belief that the law is generally enforced in Kansas, let me quote from the utterance of Mr. John A. Murray, author of the law, and published by the Kansas State Temperance Union in this year—1893:—"The inertia of public sentiment upon the temperance question is cause for apprehension. The prohibitory law, once the emblem of our pride has in parts of our State become a burden of apology. \* \* \* The very atmosphere of the principal streets of some of our flourishing cities is laden with the noxious odour of the undisturbed, defiant, and prosperous 'joint.' \* \* \* "It is time for an awakening." This from the author of the law after twelve years of trial.

I have under my hand the annual address delivered by President, Rev. Dr. Milner, to the Kansas State Temperance Union at Topeka, on October 3rd last. President Milner says: "Prohibition has not had a fair trial in Kansas.

Again:—"In the great part of our State the illegal traffic is carried on out of sight of the public."

Again:—"No one will deny that there is much violation of the prohibitive law in Kansas."

Again:—"We have to-day in cities in Kansas, cases of municipal nullifications, of cities trampling upon the law of the State."

Finally:—"We are compelled to recognize the fact that within the past two years there has been an increase of violations of the law." (Dr. Milner then retired from the presidency.)

From the facts I have stated, I submit that any unprejudiced observer must come to the conclusion, in the words of Senator Ingalls, "The Prohibitionists have the law and the people have the whisky." Under the law industry has languished, population has diminished, crime and poverty have increased, law is scorned, drinking is carried on in its most degrading form, while gambling and many other evils flourish openly.

The commission adjourned.

LOUIS P. KRIBS.

MONTREAL, March 3rd, 1894.

The Commission met at 10 a. m.

*Present :*

Sir JOSEPH HICKSON, Chairman, presiding.

JUDGE McDONALD.  
E. F. CLARKE.

G. A. GIGAULT.  
REV. DR. McLEOD.

FRANCIS S. SPENCE, Secretary of the Dominion Alliance, on being duly sworn, deposed as follows :—

*By the Chairman :*

18460a. Mr. Spence, when you appeared before the Commission in Toronto, I was compelled through force of circumstances to defer putting some questions to you, which I had desired to ask. Since then a part of the information which I wanted to get I have secured, and I hope therefore I will not have to detain you so long, and that we may finish your examination in a short time. In your former evidence, Mr. Spence, you stated with reference to the conflict of jurisdiction in Ontario: that you had two sets of licenses under the Scott Act in operation conjointly. To what licenses did you refer? —To the licenses issued, sir, under the Scott Act, to vendors of liquor for the permitted purposes.

18461a. Permits?—Not exactly. The Scott Act permits the sale of liquor for certain specified purposes, and persons were authorized by the Government to sell liquor for these purposes, and two sets of Commissioners issued licenses for these purposes.

18462a. Do you remember the date that the conflict with regard to the McCarthy Act was put an end to?—No, sir, I cannot give you the date from memory, but I think it was about the end of the first year of the Scott Act, which would be in 1886.

18463a. Can you tell us how many permits or licenses to druggists and others to sell under the terms of the Act, had been issued by the Ontario Government up to the year 1886?—No, sir, I cannot tell without reference to the documents. Allow me to think one moment if you please: The Scott Act came into operation in 1885 and 1886, I think, the two years, and then the McCarthy Act was in operation during the earlier part of that. It was passed in 1883, I suppose too late to do anything in licenses in that year. I have not the exact dates in my mind.

18464a. Have you any information as to the number of licenses the Dominion Government issued?—I have not. I have not the figures in reference to any of this, and I only speak from my knowledge of these licenses being in operation.

18465a. I have not got the returns from the Dominion authorities, of the licenses issued under the Scott Act or under the terms of the McCarthy Act, but I have a statement here of the number of licenses issued by the Provincial Government and which shows that only nine (9) were issued prior to 1886-87. There should have been no particular conflict therefore before that period; I mean between the Dominion and Provincial Governments, if there were only nine (9) provincial licenses out prior to 1886 and they are in two counties you will see. There are six in Huron and three in Oxford? —Perhaps I do not quite understand what you mean by "conflict."

18466a. You speak of the conflict of authority interfering with the carrying out of the Act in one year, and that conflict of authority contributed to its being rejected or repealed, as you said that the people got weary and tired of difficulties in giving effect to the Act, and this was one of them which you referred to. I think you stated that



this was in the early time of the Scott Act work, so that it could not have been a difficulty in force at the time of the Scott Act repeal?—The issue of licenses by the Ontario Government was only a part of the conflict. The fact that nine licenses were issued, when, as you will remember, there were only a few counties under the Scott Act, shows exactly that there was that clashing of authority between the two authorities.

18467a. According to these returns which I hold, it could only have existed in two counties. If the Ontario Government had no permits out except in the two counties, however many the Dominion Government had out, there could not have been any conflict in the other counties?—There would not have been any conflict in reference to the issue of licenses, but conflict in reference to all the other points.

18468a. You speak of conflict under the two sets of licenses prevailing?—That was one of the evidences of dispute and conflict.

18469a. Could that have had any effect on the situation prior to 1886-87; that is as regards these licenses?—It would have an effect in every place where it was in operation for all the time that it was in operation.

18470a. To what extent would it affect the general situation when there were only two counties in which the Provincial Government had issued any licenses at all for that purpose. I have told you that I do not know how many licenses the Dominion Government issued, but if the Provincial Government only issued in the two counties and to the limited extent I have mentioned, would that be a serious consideration; would that conflict of authority, therefore, prior to 1886 in reference to these licenses seriously affect the situation?—I think so, sir. If the Ontario Government had authority to issue licenses in the counties where the Scott Act was in operation and the officials did not do so, and then the Dominion officials who had not the authority, as the court subsequently held, issued any licenses at all for the sale of liquor in those counties, their action would certainly interfere with the effectiveness of the Scott Act.

18471a. In what way would it create a difficulty in carrying out the law?—To increase the facilities for the selling of liquor.

18472a. I am speaking of the period prior to the year 1886?—I am not quite sure I understand the question, may I ask to have it repeated?

18473a. The Ontario Government having issued only nine licenses or certificates prior to 1886, and they being confined to two counties there could only be really conflict in these two counties between the Dominion and Provincial authorities. Now, was that to an extent to seriously interfere with the efficient carrying out of the law?—I have not before me the statement that I made to you, of course, but if I recollect aright it was: that the fact of enforcement being carried on at the same time by the Ontario Government and by the Dominion Government prevented its being carried on as effectively by either one of the two; and the two authorities clashing, interfered with the effectiveness of the law. I mentioned also that they went to such an extent that licenses were issued simultaneously by the two bodies. Here I find from your statement that there were nine licenses issued in the year 1885-86 by the Ontario Government, and I presume there were a good many issued by the Dominion Government; that is evidence that the two authorities were endeavouring to operate at the same time and there must have been clashing.

18474a. I have no returns, as I told you, Mr. Spence, of the licenses issued by the Dominion Government, and whether they were few or many I cannot say; but that is prior to 1886. I am speaking of the effect that this state of things would have on the law prior to 1886, and I only wish to ascertain this: Did the state of things which you described in your previous evidence exist prior to 1886, and if it did exist, did it exist to such an extent as to seriously interfere with the carrying out of the law?—The clashing of authority did exist, and it did exist to such an extent. You must allow me to say that my statement there was that the clashing of authority led to the defectiveness of enforcement, and it would be hardly fair for me to answer in reference to the single clause of my reply there, as if I had only made that one statement, when, as a fact, I made a broad general statement about the clashing of authorities.

18475a. I only want you to answer that particular question, if you can. Do you find that you have not the information to do it. I do not want to know about the other

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reasons that you give, I only want to know about the issuing of licenses?—If I understand you rightly, I wish to answer the question, but I do not think I get exactly at what you want to get a reply to. My statement there is that there was a clashing of authority. You asked me if that existed up to this date, and I said yes.

18476a. If it existed prior to 1886?—Yes, sir.

18477a. To an extent calculated to interfere with the enforcement of the law?—To my knowledge licenses were issued by the Dominion Government to parties who abused them and sold to an extent that seriously interfered with the working of the Scott Act, and the assumption by the Dominion officials of that authority was a very serious drawback at that time to the effectiveness of the law.

18478a. On that particular point, would there be a conflict of authority between the two Governments in any of the counties except Huron and Oxford?—From this statement, there would not have been licenses issued by the Ontario Government, but the worst clashing would be the licenses issued by the other Government.

18479a. I am speaking about the conflict of authority?—Then I would answer that the conflict of authority would certainly exist without the license being issued; because the two sets of officials would be charged with the same duty.

18480a. You put in a statement in Toronto showing the number of informations laid and the number of convictions obtained between May, 1886, and July, 1887. I subsequently obtained, as you suggested at the time, a statement from Mr. Totten bringing the information down to May, 1889. Adding your figures to Mr. Totten's figures, I find that between May, 1886, and May, 1889, 9,457 informations were laid and 5,663 convictions obtained for breaches of the Canada Temperance Act. When speaking of the commitments to jail, in your evidence, you made use of this language, "When we were enforcing the Scott Act we secured a great number of convictions against liquor men for violation of the Act." Who do you mean to include in the term "we" at that time?—The Province of Ontario, I presume.

18481a. The remark is made in a way which might possibly lead those reading it to believe that it was the temperance societies that were securing these convictions. Did you mean that?—I do not think that I said temperance societies in that connection, and I believe the term is used in the same sense as we say: We have fine weather, we enforce law well in Canada, and so on.

18482a. Would not the large number of informations being laid, to which I have referred, and the convictions obtained, indicate a vigorous effort on the part of the officers to enforce the law?—It would certainly indicate an effort on the part of the officers to enforce the law. I would hardly like to qualify the effort by saying "vigorous" or applying any other terms.

18483a. All these prosecutions were undertaken by the Inspectors of the Ontario Government?—I suppose that the informations reported by the Government in that table were laid by the Inspectors. It was a common practice for people who wished to have an information laid to go to the Inspector, give him the facts and ask him to lay the information.

18484a. I have a communication from Mr. Totten, the head of the license branch of the Treasury Department of the Ontario Government, in which he says that these prosecutions were all informations laid by the Inspectors under the Act. Would you accept that statement?—I would accept it, yes, with the explanation I have given.

18485-6a. That others may make complaints, I quite understand that, but I am speaking of the informations. I suppose that those reported to Mr. Totten would be all by the officers of his department. And the figures you quoted when examined in Toronto were obtained by you from the license branch of the Treasury Department?—Yes.

18487a. Those I obtained since came from the same source?—Yes, of course, they would apply to the same class of offences.

18488a. You have no doubt that these prosecutions were carried on by the Inspectors of the Government?—I have no doubt that these informations were laid by the Inspectors and that these convictions were obtained on these informations.

18489a. Did the Dominion Alliance take any steps to urge upon the voters of the counties which adopted the Scott Act the desirability of adopting it when it came up to be voted upon in the first instance?—Yes, sir, we sent a circular out; circulars asking the citizens of the provinces to work for the adoption of the Act.

18490a. Am I right in concluding that in fact the Alliance took an active part in endeavouring to influence the voters to adopt the Scott Act?—That the Alliance took an active part in making the facts concerning the Act known, and recommended the people to vote for it with a view of getting them to adopt it; decidedly yes.

18491a. I think you told us, Mr. Spence, in Toronto, that the Scott Act was not exactly the legislation which the Dominion Alliance desired, but that the organization supported it, and urged their friends to aid in any way they could in giving effect to the law. Is that so?—That is correct.

18492a. And shall I be correct in concluding that, at the time the by-laws came to be revoked upon, they were also supporting it?—I do not think there has been any change yet in the attitude of that organization.

18493a. I will put the question in another way. At the time the Scott Act was re-submitted, did the Dominion Alliance urge upon the constituents the desirability of voting for the continuance of the Act? I refer to the time the question of repeal was submitted?—Oh, yes, we wanted the Act retained.

18494a. Did you issue any circulars or literature with that object in view?—We worked generally. We did all we could to induce the people to stand by the law. At least we urged them to do so. We felt gratified that the results had been as good as they were and we were desirous of having them still better, and to allow the Act to have a fair trial.

18495a. Do you think the Scott Act had the effect in Ontario of reducing the consumption of liquors?—I think so, yes.

18496a. Do you think it had any effect in reducing the amount of drunkenness in the province?—I think it had, and I think that the official statistics bear out this conclusion.

18497a. Have you made any comparison of the convictions for drunkenness in the province during the years of the Scott Act? I am aware you compared the commitments to jail, but have you made any comparison of the convictions for the offence of drunkenness?—I may say I have not got the material for that. I have not got any statistics showing the convictions for drunkenness in the different counties during these different years.

18498a. I was speaking of the whole province?—Oh, I think it would be a very unfair, if I may use the term, way of judging the Scott Act by taking the whole province. At that time the Scott Act only covered sections.

18499a. I am not saying the Commission is going to make use of the information. I only want to know if it is a fact?—Excuse me, I am not criticizing the Commission.

18500a. I wish to know if in your opinion it had the effect of reducing the convictions for drunkenness throughout the province?—In the places where the Scott Act was in force, yes; not in other places.

18501a. But if it affected the drunkenness in the part in which it was in force, seeing that it was in force over, I think, three-quarters of the province, would it not necessarily affect the total convictions for drunkenness?—I do not think it was in force over anything like three-quarters of the province in point of population, while it may have covered perhaps more than three-quarters in point of territory and inasmuch as a great deal of the most populous, in fact the most of the most populous territory still remained under license, there might be a considerable variation in the amount of drunkenness in the Scott Act territory, that would not be accompanied by any marked variation in the record for drunkenness in the whole province.

18502a. But still, if there was a reduction in the Scott Act territory, unless there was an increase in the territory that was not under the Scott Act, the result must be a diminution in the amount of drunkenness on the whole?—If the convictions in one

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part of the province went down, and there was no going up in the other, there would certainly be a lessening on the whole.

18503a. Do you suppose that the adoption of the Scott Act in a large number of towns had the effect of increasing drunkenness in places or counties that were not under the Scott Act?—Well, that is a question of course, my opinion about which is all that you ask, and I have not really any data to go by.

18504a. I ask you this question because you have evidently studied out this matter?—I am inclined to think that that may be the case to some extent.

*By Mr. Clarke :*

18505a. What would be the case?—That the Scott Act in certain counties would be accompanied by an increase in drunkenness in other counties not under the Scott Act. I wish to say that men who are in the habit of getting drink and when they are prohibited from getting that drink at home, they might in some cases go where they could get the drink and add to the drunkenness there, and moreover, a man who could not get drink in a Scott Act county, not having an opportunity there, visiting a license county might get drunk there, and so the record of the other county would be swelled. I think that that was charged against the Scott Act by those who opposed it; that the people who could not get liquor at home went to places where they could get it and drank it there.

18506a. And that increased the record of drunkenness in those places where the Scott Act was not in force?—That might somewhat increase the record of drunkenness in these places.

*By the Chairman :*

18507a. Referring again to the number of informations laid and to the convictions obtained between the periods I mentioned, that is, from May, 1886, to May, 1889, would not that indicate that there was a very strong feeling of opposition to the Act in the community?—I do not see any evidence of that whatever in these figures. I notice an evidence of an effort by certain persons to sell liquor in spite of the law, but I cannot see how that could be taken to be evidence that public opinion was hostile to the Act.

18508a. Has there been anything like so large a number of prosecutions for illicit sale under the license system?—I am not aware that there have been.

18509a. Do you not think that there must be a very strong feeling of opposition to the law which requires within such a period, as I have mentioned, nearly ten thousand informations to be laid for breaches of it?—In a good many cases the number of prosecutions for a violation of law might be taken to be a measure of public sympathy with the law and in favour of its enforcement, and I do not think it would be a fair inference at all, if I should make out that the number of convictions show public hostility to the law.

18510a. But will we not be justified in concluding that the Inspectors were perfectly impartial and that they were simply enforcing the law; that these actions were taken not as a matter of sympathy, but as a matter of duty?—I would presume so. It is upon that I based the statement I made before, that the prosecutions are not evidence of public sentiment at all, but of official enforcement of the law.

18511a. Yes, official enforcement of the law, but I think, if I understood you correctly, you intimated that it was owing to the sympathy with the law on the part of those who were endeavouring to enforce it, and these prosecutions are made by men whose official duty it is to prosecute and not as a matter of sympathy, I suppose?—Precisely so, and therefore I see no indication of public hostility to the law.

18512a. Does it not indicate that there was a large number of persons who were breaking the law?—It indicates a large number of violations of the law, and I think that is the only indication that it will bear. Might I say that when I spoke of three-quarters of the area of the province being under the Scott Act; to be correct, I was of course referring to three-quarters of the organized area of the province because the part of the province that could be affected by the Scott Act is a very small part of the whole area.

*By Mr. Clarke :*

18513a. Three quarters of the organized territory was under the Scott Act?—I do not think there was so large a proportion. I cannot say, without going into it, but I think that would be about the extent of the organized territory that was under the Scott Act.

*By the Chairman :*

18514a. In answer to the question put to you when you were giving evidence before, Mr. Spence, you said that the enforcement of the Act became more effective as the machinery for its enforcement was provided; that being so towards the latter year, namely 1887–88, the enforcement was more efficient than it had been at any time previously?—Let me see if I can get the dates into my mind. The Scott Act came into operation on the 1st May, 1885–86, it was repealed, roughly speaking, on the 1st May, 1888–89. It went out completely on the 1st May, 1889. It ran from the 1st May, 1885, to the 1st May, 1889. Your question is about the year 1887–88 I think?

18515a. Yes, it is a general question. I want to know if you really mean that the machinery was more effective in 1887 and 1888?—I think, if I remember rightly, I made the statement that a good deal of the machinery that we wanted to make the enforcement effective was not secured until about the end of the Scott Act period, and some of it subsequent to the Scott Act period, but that generally speaking, I think I stated, that with a better understanding of the law and the methods of operating it, there came to be more skill in the enforcement.

(The Chairman read a question in the previous deposition of the witness and his answer thereto.)

18516a. How was the enforcement of the law in the years 1887–88 more efficient than it had been previously?—In part of the year 1888, it was much less efficient. The Scott Act repeal once adopted, the law would be almost a dead letter from the time repeal was voted until the time that repeal actually came into operation, so that I would expect that in some places in the latter part of the Scott Act time there would be less effective enforcement than earlier. While I am not prepared just now without examining carefully into the facts and documents concerning it, to say what part of a particular year the enforcement was most effective in, I should think that the figures obtained from Mr. Totten would show when most informations were laid and most convictions secured. It must be borne in mind, however, that in the latter part of the term for which you have the informations and convictions the Scott Act covered a much smaller area than during the first part of the time.

*By Mr. Clarke :*

18517a. Would the number of convictions be any indication as to whether the law was being well enforced or not?—To some extent. Of course it would be qualified by other considerations, but the activity of the officers would naturally be supposed to be followed by effectiveness in their work.

*By the Chairman :*

18518a. The figures show the following:—In the first quarter 463; in the second quarter, 562; in the third quarter, 373; in the fourth quarter, 810; in the next quarter, 908; the next, 1,475; the next, 1,370; the next, 1,190; and then they go down to 400, 500 or 700. Do you think that these figures are any indication as to the efficiency or otherwise of the enforcement of the Act?—They cannot be taken as a measure of the efficiency or inefficiency of the Act.

18519a. I am speaking of the enforcement of the Act?—Nor the enforcement, because as I have stated the areas under the Scott Act fluctuated and there would be a corresponding fluctuation in the number of informations and convictions, but take a given area, a certain number of counties, and with the increase of the informations

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and convictions, we would expect naturally to have an increase in the effectiveness of the law and of its enforcement.

18520a. Mr. Totten says: "Other difficulties in the way of giving effect to the law had been removed; the conflict of authority between the Dominion and Ontario Governments had been arranged. Efficient machinery had been provided for the enforcement of the law by the close of 1886. At all events, it was efficient in 1887-88, is that so?—No, sir, some of the machinery that we were very anxious to get for the enforcement of the law, we did not get until subsequent to that time.

18521a. You did not get it, because you required legislation?—Yes.

18522a. But the machinery in the Act, and which was considered necessary to give effect to the Act had all been perfected in 1887 and 1888. No, sir, I cannot say that. We never got all the machinery we considered absolutely necessary to give us a fair opportunity of having the law enforced.

18523-4a. Mr. Totten says in regard to the enforcement of the law: "To meet some of these difficulties, the Provincial Government passed the Act of 1887, in which the Lieutenant-Governor was authorized to appoint Police Magistrates in the Scott Act districts and fix their salaries to be paid by the county. Under this Act a large number of Police Magistrates were appointed, having been recommended by representative temperance people as being men in sympathy with the better execution of the Scott Act. The organization was at that time complete; first, the Board of Commissioners; second, the Inspectors; third, the Police Magistrates; fourth, the representatives in the head office. All these were officers recommended by or acceptable to the temperance people, and fifth, there was plenty of money, so that at that time, according to this statement, the machinery would appear to have been complete?—May I ask you to notice that Mr. Totten's statement is that in 1887 there was enacted a law authorizing the Attorney General upon certain applications to provide the machinery, but you will readily see that an Act authorizing the Attorney General to provide the machinery, was not providing the machinery by any means.

*By Mr. Clarke:*

18525a. Did not the Attorney General provide the machinery?—I am calling your attention to the fact that this Act—

18526a. Did he or did he not?—In certain cases the machinery was provided.

18527a. Did he provide the machinery?—In certain cases.

18528a. And in other cases?—In other cases the machinery was not provided.

*By the Chairman:*

18529a. But Mr. Totten's statement is very distinct: Under this Act, a large number of Police Magistrates were appointed, having been recommended by representative temperance people as being men in sympathy with the proper enforcement of the Scott Act and the organization was from that time complete." He describes the organization and he says that there was plenty of money.

*By Mr. Clarke:*

18530a. What further was wanted?—There was wanted, in the first place, the availability of that money for the purposes of the Act. Mr. Totten makes the statement that there was plenty of money. There remains the fact that that money was so locked up that it could not be got hold of in some cases. He tells you that there were officers appointed, but as a matter of fact you know that that took time. The Act came into operation in 1887, and inside of a year there were repeal contests in a number of places. You will also notice, if you go further, that some of the legislation that we wanted from the Ontario Legislature and from the Dominion Parliament to make the Act effective, was not secured until a good while subsequent to that, in fact some of it—

*By the Chairman:*

18531a. Mr. Spence, I was not referring to additional legislation, I was merely referring to the machinery necessary to give effect to the Scott Act as it existed?—Well,

that machinery I must say, sir, was not provided to the full extent that we expected or wished it to be at all during any time of the Scott Act operation in the province of Ontario.

*By Mr. Clarke :*

18532a. Then Mr. Totten's statement is incorrect?—I am not criticizing his statement.

18533a. But it must be right or wrong. He said that you had everything, you had plenty of money, you had officers, Commissioners, and somebody at the head office?—Excuse me, I do not wish to enter into a controversy, but Mr. Totten's statement is that the machinery was provided in some cases. It does not say that the Police Commissioners provided for in the Act were generally appointed.

The Chairman again read the statement of Mr. Totten.

18534a. Now, I think that no man knows more about this business than Mr. Totten, and a more intelligent and able officer I have not met with during this inquiry than Mr. Totten. He made his statement very deliberately?—Of course, I do not wish to be put in the position of being called upon to pass judgment upon Mr. Totten's evidence, but I am making statements that to my knowledge are facts, and I may say that to the very end of the Scott Act period we were hampered by inefficient Inspectors, who could not be persuaded to do their duty. We were also hampered by the fact that the money we ought to have had available for Scott Act enforcement was locked up in the treasuries of the county councils, and in fact that it only has been within recent years that it has been released.

18535a. Did that not cease at this particular time?—It did not cease then, and it did not cease until after the Scott Act had been repealed in a great part of the province.

18536a. Were the funds, at this time that Mr. Totten speaks of, not paid to the license fund?—They were not.

18537a. Not in 1887?—No, sir, unless it was done by some Inspector. I may explain, to make it clearer, that the Dominion Government passed an Order in Council providing that all fines, instead of going as they had done in the past to the license fund, that the fines should be paid over to the treasurer of the county council. The only way after that in which fines found their way into the license fund was by action of the county council.

18538a. Are you not referring to an Order in Council of the Dominion Government?—No, sir.

18539a. But Mr. Totten is speaking of the Provincial Government?—But, notwithstanding the fact that Mr. Totten states, there remains another fact, that the money which was required for enforcement purposes was locked up in the county treasury and was not available for Scott Act purposes.

*By Judge McDonald :*

18540a. We have had it in evidence under oath that it was available; that the Board of License Commissioners and Inspectors appointed by the province might put in a requisition for such amounts as they needed for Scott Act purposes, and the county council was obliged to honour them and did honour them. We have that on sworn testimony.

*By Mr. Clarke :*

18541a. Was there any provision in the Order in Council as to the disposition of these moneys paid to the treasurer of the county council?—They were to be appropriated by the county council for the enforcement of the law.

*By the Chairman :*

18542a. That only applied to prosecutions undertaken by the Dominion officials?—No. It applied to all prosecutions.

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*By Judge McDonald :*

18543a. Thousands of dollars were asked for Scott Act purposes ?—I may be wrong, but I think the Ontario Government had to take action against some of the county officials before they could secure the money that was paid to them for the purpose of Scott Act enforcement.

18544a. Did I understand you aright that the Dominion Government, by Order in Council, insisted on having fines paid to that fund ?—Excuse me ; the Order in Council did not, of course, specify any particular fund that they were to be taken from, but simply specified the mode of their appropriation ; otherwise they were paid in a number of cases by the License Inspector directly into the license fund.

18545a. What license fund ?—I mean the license and district fund. That is they were appropriated as license fines under the license law, and the Inspectors treated them similarly until they got their instructions.

18546a. It has been put before us in other places that in some cases the county councils not only supplied the funds that the Ontario officers asked for, but they supplied to private individuals what those private individuals had spent in trying to enforce the Scott Act before that Order in Council was passed ?—I am quite well aware of that. I would expect that from a county council favourable to the enforcement of the law, just as I would expect the opposite from county councils that were not favourable to it.

*By Mr. Clarke :*

18547a. Was the Act well enforced in those counties where the county council was favourable to it and aided the people who were desirous of seeing the law well enforced ?—Now you are asking a question of detail which involves the question of the favourableness of the county council, which you will see is a relative matter and not absolute.

18548a. You can speak generally with regard to it ?—I am not prepared to give an analysis of county councils and to say which county council favoured it and which county council opposed it. I may say some county councils granted more freely than others. In some places they had good county councils with an incompetent Inspector.

18549a. You were handicapped at each end ?—There were so many points of handicapping that it was pretty hard to get at what was necessary.

18550a. Was the Act well enforced in any county ?—That is also relative. If you mean to say well enforced as to prevent the liquor traffic and drunkenness, we did not anticipate that and I say, no. If you mean to say so well enforced as to lessen drunkenness and the liquor traffic, I say, yes.

18551a. In how many counties ?—I think that result was obtained in most counties where the Scott Act was in force.

18552a. Were the county councils in most counties favourable or unfavourable to the Act ?—That I would not be prepared to say but I would be impressed with those we had trouble with.

*By the Chairman :*

18553a. I take the following extract from Mr. Totten's evidence. He says : "From the time of the passing of the Order there was no difficulty in obtaining funds and getting expenses," That is from November, 1886, are you prepared to accept that as a correct statement ? In 1887 there were funds available, there was machinery available and this was certainly available to the same extent in 1888 as there had been no retrogressive legislation ?—I would like you to notice that that does not at all contradict the statement I have made in answer to your question.

18554a. The fact I am trying to ascertain is, if the machinery was perfect in 1887 and 1888, because you have made the statement that as the machinery became perfect the enforcement of the Act was more efficient, so it is very desirable that we should know how efficient it was in 1887 and 1888, the period when the Act was being repealed. That is the point of the question ?—The fact still remains that the Scott Act fines, not-



withstanding the legislation, were at the time locked up in the county treasury, were not available for Scott Act purposes, that we still had hostile Inspectors and lacked Police Magistrates; and that condition of affairs remained until after the Scott Act was repealed. Some of the difficulties that we had to contend with were of such a character that since that time legislation has been enacted by the Dominion Parliament removing the difficulties and giving us better appliances for enforcing the law, but not until it was too late for them to be of any use. It has been only since the Scott Act was repealed that the improvements in reference to evidence were made so that we could get the kind of evidence we wanted.

18555a. Are we to understand that you did not consider the Act was being more efficiently enforced in 1887 and 1888 than it was previously?—I can hardly say that, after stating, as we understood the law, it was going to be better enforced. But my answer, I think, was that there was no time when we had all that we wanted or should have had in way of enforcing the law.

18556a. I did not ask you that. I was speaking with regard to the degree of efficiency, and my question, I think, had reference to that?—Well, I think I have stated several times generally, that with the progress of legislation and the knowledge of the law the effectiveness of the law where it remained in operation was improved.

18557a. In the years 1887 and 1888?—Well, I am not prepared with details just now.

*By Mr. Clarke :*

18558a. You have heard Mr. Totten's statement read by the Chairman that after 1887 the machinery was perfect and funds available?—I would have to know the particular county and the particular legislation in order to answer. I would be sorry to base my reply on facts of which I had no knowledge, even though they were given in evidence.

*By the Chairman :*

18559a. I am only asking you to answer generally. I do not expect you to give me details or figures from memory. I only put the question if the Act was being more effectively enforced in 1887 and 1888 than previously. According to the evidence given by Mr. Totten,—and I think there is no one better qualified to give evidence on the subject,—the funds were there and the machinery was there during those two years?—And I think I have already answered the question very fully. You asked me to name specific years or a particular kind of enforcement in those years, basing your question upon facts that Mr. Totten has stated. I must decline to be guided by Mr. Totten's knowledge rather than my own. In general terms I have stated already that the Act increased in effectiveness as time went on, that the latter part of the time, before it was repealed, it was decidedly better enforced and more effective than it was before. The year 1887 shows a diminution of drunkenness in Scott Act counties which is the best evidence we can have that the Scott Act was better enforced than before.

18560a. Mr. Totten in his evidence states that complaints of Inspectors were almost universal: "We stand alone, no one supports us in the community," they had frequent occasions to complain of the conduct of many of those who voted for the Act. Do you think that was the state of feeling in the Scott Act districts generally?—I am aware that in some places the Inspectors had very little co-operation and in some places they were well supported by people in the neighbourhood. I would not like to be responsible for Mr. Totten's statement that "they stand alone" in every place.

18561a. I am not asking you to be responsible for Mr. Totten's statement, but I am asking you if you know of your own knowledge that that was the state of feeling?—I do not know that the Inspectors in every case had as much co-operation—at least I would like to put it this way, I think the Inspectors would have been still better in a good many cases if they had had more co-operation from the public.

18562a. So you think they stood alone to a large extent in executing the law?—Yes, they stood alone in executing the law inasmuch as they were employed and paid for it.

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18563a. Then from that statement we would infer they had little or no sympathy from the public in the execution of their duty. Do you think that was the case?—I think that is the legitimate inference from Mr. Totten's statement, but I hope it is not the legitimate inference from my statement.

18564a. But do you know from your own knowledge?—I have stated already that I think they did not have as much co-operation as they should, and therefore could not make the law as effective as they might. In some places they had very little support and in some other places they had more. I do not think I can be more specific than that.

18565a. When you were before the Commission in Toronto you said you could easily obtain statistics showing the favourable effect of the prohibitory law in the State of Kansas. Have you any such statistics to put before us to-day?—Yes, I think I have two or three documents that might be of use to the Commission; and if it is agreeable I would like to prepare some of those tables and submit them to the Commission.

18566a. To what documents do you refer?—I refer to the "Hand Book of Prohibition Facts." This book quotes from another document, Census Bulletin No. 31 of the United States, dated February 14, 1891, issued by the United States authorities.

18567a. What authorities?—It is Census Bulletin No. 31 issued by authority of Congress. I find here on page 18 a comparison of convicts in penitentiaries for different States for the years 1880 and 1890 with ratio of population. The States are classified into divisions. We have in the North Atlantic Division nine States, three of which have partial prohibition and the remainder no prohibition. The ratio being given of the number of convicts in penitentiaries per million of population. The ratio of the three prohibition States is: Maine, 257; New Hampshire, 308; and Vermont, 274, and for the six remaining States: Massachusetts, 683; Rhode Island, 353; Connecticut, 456; New York, 1,365; New Jersey, 1,078; Pennsylvania, 449; showing that the three prohibition States have a much smaller ratio of convicts in penitentiaries than the six anti-prohibition States, and that the highest ratio for the three prohibition States is far below the lowest ratio of the license States. The next is the South Atlantic Division in which the ratio does not run so low as in the three prohibition States in the North Atlantic Division. We then come to the North Central Division and we find there the prohibition States of Iowa with 326; North Dakota with 356 and South Dakota with 259; this is not, as in the first case, below the lowest of the license States, but averaging far below the average of the license States. Wisconsin and Minnesota both come down below the ratio of the prohibition States, but the others run far above, some going as high as 600.

18568a. Minnesota and Wisconsin are high license States?—Yes, but I may say that Minnesota is a high license State with a good deal of prohibition through local option.

18569a. I asked you about Kansas and you said you could give figures in regard to prohibition there?—Kansas has 643 per million.

18570a. But as compared with Minnesota?—Higher than Minnesota, that is what I said.

18571a. Minnesota shows about half the number per million?—Minnesota is a good deal less, it has a good deal of prohibition, and Wisconsin is less than half that of Kansas. Taking all the States we find that the ratio for prohibition States is far below the ratio for license States. There are exceptions in which some license States gives a less ratio than some prohibition States.

18572a. Is that in the North Central Division?—Yes

18573a. In that Division the ratio altogether is below the ratio of the North Atlantic States?—Altogether below the Atlantic ratio and altogether below the general ratio. May I call your attention to the fact that the ratio for the entire United States is 722; there are no prohibition States that approach to the general national ratio. Kansas has the worst record of all, 643 to the million. I may state also that the States that have had prohibition for a long period, such as Maine, New Hampshire and Vermont show a very low ratio.

18574a. I am speaking about Kansas now. I may have something to ask you about Maine later on. Keep to the record of Kansas?—There is another table which is to be found in Census Bulletin No. 95, and I suppose I may refer to it here.

18575a. What does that bulletin deal with?—It refers to prisoners committed to county jails and their ratio. From that you will find that Kansas has a very good standing, as it comes down to 303.

18576a. How many in the same group of North Central States are higher than Kansas?—It stands the highest in this group, 303.

18577a. What is the ratio of the group?—The ratio of the United States is 312 and the ratio for Kansas is 303. The ratio for the North Central Division in which Kansas is placed and in which there are some other prohibitory States, which bring the record down to 303.

*By Mr. Clarke :*

18578a. What conclusion are we to come to? Is it that there are more prisoners in the prohibition State of Kansas than there are in the license States alongside of it?—The statement I made was that the figures show the criminal record of Kansas to be below that of the United States in general.

18579a. You gave us the ratio of prisoners in the penitentiaries in Maine, New Hampshire and Vermont and then you went to the group in which Kansas is situated and you find that Kansas has the highest ratio in that group?—It has the highest in the group as classified here, but if you take the States generally it certainly has a very favourable record.

18580a. It is the highest in that group?—It is the highest in the census group of the States that lie north of it.

18581-2a. If it is the highest in that group, what conclusion are we to come to as to the operation of prohibition in Kansas?—You are to come to the conclusion, I think, that there must be some cause in other places for bringing the record down, or that there must be some cause in Kansas for bringing the record up.

18583a. You gave us the North Atlantic Division, in which Maine, Vermont and New Hampshire are situated, and you made comparisons between them and New Jersey, New York and Pennsylvania in the matter of convicts in penitentiaries and the record is very favourable to Maine and Vermont at any rate. Now, I go to this group of States in which Kansas is situated and we find a different showing there. What conclusion are we to come to, is it that prohibition works well in Maine and not so well in Kansas?—No.

18584a. What then?—You take the whole thing into consideration. The comparison I wish to make is this, and what you have to do is this: What you have to do there is to contrast the record of Kansas with the record of the States generally. I think that when you find that 303 is the ratio in Kansas and you find the adjoining State of Kentucky higher, which is very similarly situated to Kansas, and the adjoining State of Tennessee, and the adjoining State of Iowa with prohibition, when you see that I think you will have come to the conclusion that prohibition is effective.

18585a. What about the ratio in penitentiaries in the State of Missouri?—Missouri has a low ratio.

18586a. Less than Kansas?—It is lower. Colorado has double the number of convicts in penitentiaries that Kansas has.

18587a. Is there any reason why that should be?—It is a mountainous region, a mining country and a good many men there.

18588a. Are there more United States prisoners in penitentiaries in Colorado?—This report shows that there are twice as many as in Kansas.

18589a. And what would account for it?—This report does not classify them, it simply gives the number that are in the penitentiaries.

18590a. Have you the figures for Nebraska?—Yes.

18591a. And Minnesota?—Yes.

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18592a. How do Nebraska and Minnesota compare with Kansas?—They compare favourably with Kansas.

18593a. And as to the prisoners in the county jails how do they compare?—Favourably, I think Nebraska and Minnesota are more favourable than Kansas.

18594a. How does Nebraska compare with Iowa as to the number of prisoners in county jails?—Iowa compares very favourably with Nebraska. Iowa has a ratio of 171, Nebraska 207. In penitentiaries Iowa has 326, Minnesota 332, and Nebraska 369, which is higher than Iowa. Iowa has a very low record as regards the penitentiaries.

*By the Chairman :*

18595a. My question had reference to Kansas, and I wish you to confine your evidence to that subject. You stated in Toronto that you could easily supply us with information which would show the beneficial effects of prohibition in Kansas. Have you anything else than these statistics to show that, have you anything of an exceptional character?—I would like very much if the documents could be put in as evidence, I would like to prepare a statement which would show the difference between Kansas and other states in point of criminality and in point of material prosperity.

18596a. When you speak of the criminal record, from what sources would your statistics be taken?—I presume they would be taken from the sources that are available to yourself.

18597a. A compilation from the United States Census returns would be of no use to the Commissioners because we have them, but if you have any information to offer in support of the opinion you have expressed beyond these census returns we will consider whether we will take it, if you cannot give it to us now.—May I ask which opinion you refer to?

18598a. I thought I read it to you. You expressed the opinion that you could easily supply information about Kansas which would show the beneficial effects of prohibition?—Yes; I believe that I can collect that information for you, and I would like to lay it before you. I do not know that I would care about being excluded from submitting statements that were in official documents. I have in my possession pamphlets and sundry documents relating to records in all these different prohibition states.

18599a. If I have anything to say about the other prohibition states I will say it afterwards, but let us speak about Kansas now, because Kansas is the state about which I asked you. If you have anything you would like to submit now, we would be glad to have it. I may say with regard to these official documents that we have them all, and therefore it is not necessary to put the Census returns in. If there is anything you have from the criminal record of Kansas or from some other source of a reliable character that you could lay before us now, we will accept it, if you say you have not got it and would like to send it in, I will consult my brother Commissioners as to what use under these circumstances we could make of it?—I would like also the privilege of taking these official records and analysing them, and laying them before you in such a form as to show certain facts that might not be on the face of them just as they are seen here.

18600a. You mean the census returns?—Yes.

18601a. Very well, we will consider that. Do I understand the statement of compilation merely refers to the State of Kansas—I am speaking of the State of Kansas?—I would prefer that any statement I submit would not be confined to any particular state in that way.

18602a. I want information with regard to the State of Kansas. If you have any statement with regard to Kansas we wish to have it?—I shall be very much pleased to give it you.

18603a. With regard to the State of Maine you said that the effect of prohibition was overwhelming?—I believe so, I think the evidence there is absolutely overwhelming; the demonstration of the effects of prohibition there is absolutely complete, from

the fact that the State of Maine has had experience of a prohibitory law for a long time, which you say is 40 years.

18604a. Have you anything to lay before the Commission to show that the evidence is overwhelming and is a practical demonstration of the effect of prohibition in that state?—I think the evidence you were reading gives it.

18605-6a. Now I go back to your former evidence and ask you again if you have any evidence to show now that prohibition in the State of Maine has been, as you put it, a success?—I am still under the impression that the evidence there is very clear, that the evidence of the endorsement by the people of the State of Maine, of the principle of prohibition is so strong as to be an overwhelming proof of the effectiveness of the law, that it is giving such satisfaction to those who are under a prohibitory law as to secure their endorsement frequently. I think that the evidence that you have read makes it clear, and my statement was explained in that way. I would like to add now, that if you would prefer to have evidence of another character, I would be very pleased to submit evidence in reference to that state as well as the State of Kansas.

18607a. Would their vote indicate anything more than that the people approved of the law?—The vote of the people who are under the law for a long time would indicate the approval of the law, and as the advocates are people who are in favour of the principle of prohibition, their endorsing the law as they did would certainly have to be considered evidence of its effectiveness, inasmuch as its effectiveness has made the satisfaction, that is evidence of its being satisfactory.

18608a. Would it necessarily imply that the law was effective?—I think so. I think it would imply that it accomplished the ends which its advocates aimed at. Of course in approving it they are satisfied that it is a better system of dealing with the liquor question than a license law would be.

18609a. Might not the people of Maine be satisfied with a law, or decide to keep it on their Statute-books, without its being effective, as compared with the system in other states?—I would think not. I would think that the people of Maine would be very much dissatisfied to have a system that they found not as efficient as that of other places.

18610a. I put this question to you because you have been devoting your mind to this subject for many years and you are perhaps more familiar with it than most men in the country. By what standard are we to measure the effectiveness or non-effectiveness of the law in the State of Maine?—I think that an important indication is one which has just been mentioned, that is the extent to which it is endorsed and approved of by the majority of the people, by the better class of the people who stand high in favour of what is good and right.

18611a. Would you say, for instance, that British Columbia which has a license system and a very high percentage of consumption of liquor and a high percentage of crime, would you say that the people endorsed the law because they did not change it?—Just following what I said. If the majority of the people endorsed it and it were also endorsed by the strong testimony of those whom we know to be favourable to what is right and progressive and moral, I think that would be unmistakable evidence of its being a good law.

18612a. Do you think the law in British Columbia, as it exists to-day, meets with the support of the majority of the province?—I am quite certain it does not meet with the endorsement of the classes I speak of. Take for example, the religious organizations, conferences, synods, assemblies and institutions that are most interested in the promotion of what is right. In the State of Maine we have the emphatic endorsement of temperance organizations who are all anxious for progress in that direction and of large conferences and bodies of that kind, and then we have the clear and strong declaration of those who are in authority. Take the various Governors of the State of Maine and the strong manner in which they express their approval of the law, and declare that it is beneficial.

18613a. The Governors of the state, of course, when they speak on the subject are generally before the public and are desirous of keeping or getting office, therefore, they

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are soliciting votes to a greater or less degree. But I will not go further than merely ask in reference to your statement: would you look upon the Bishops of the Roman Catholic and Episcopalian Churches in the State of Maine as speaking for a considerable number of the people of that state; and would you look upon their opinion as being entitled to respect?—If my memory serves me right—I am not sure just now what the census would show—but I do not think the Bishops you mentioned represent a large proportion of the population of the State of Maine. I would think that a Conference of say a body like the Methodist Church would represent a very much larger section of the community and would be able to furnish better evidence than those gentlemen you have mentioned.

18614a. Can you tell the Commission how many Roman Catholics there are in the State of Maine?—I cannot. I would have to have information to know what weight to attach to those, and moreover I would think that the opinion of one person would not be at all as valuable as the opinion of a Conference or gathering.

18615a. Do you think the opinion of the Bishop of the state would be likely to fairly represent the views of his clergy?—I would not like to say without information that it did.

18616a. Do you know whether any religious sect in the State of Maine has increased as rapidly in recent years as the Roman Catholics?—I do not.

18617a. Would you expect to find the commitments to prison, for instance, in the State of Maine, for drunkenness, to be more or less than the commitments in the Province of Ontario?—I would like to know in the first place the complaint upon which they are committed in the State of Maine. What I mean is what they arrest them for. In some parts of our province no one is arrested for being drunk at all. Drunkenness is not looked upon as an offence unless there is disturbance attached to it, whereas in some parts of the United States, I know (I am not aware about Maine) that many are arrested for the offence of being drunk.

*By Mr. Clarke :*

18618a. Is not that the case in Maine?—I do not know what the law is. If I were to compare statistics in Maine with those in Ontario, I must be informed of the system in vogue of dealing with drunkenness before I could draw any inference. If I knew what the laws were and how they were administered, then I should say that the comparison between the two would be fair,

18619a. Suppose the same laws apply as to the arrests in Ontario as apply in the State of Maine?—Then I should say that the arrests in Maine would be a fair comparison in proportion to the population, Maine being smaller.

*By the Chairman :*

18620a. Would you expect the commitments to jail for drunkenness, of the State of Maine, to be as many as the convictions for drunkenness in the Dominion of Canada?—The State of Maine is very small compared with the Dominion of Canada.

18621a. I am speaking of the ratio?—I would expect that taking the Dominion of Canada as a whole—well I do not know—we have a large unsettled part of the country where arrests are very rare, and we have an immense amount of our country under prohibition, the ratio of arrests I suppose in the Maritime Provinces, would be small in some of them, and that would have to be taken into consideration. I would expect that the commitments for offences of all kinds in Maine would be less than in Ontario.

*By Mr. Clarke :*

18622a. Take drunkenness.—Yes. I would expect that the commitments for drunkenness in Maine would be less, probably, than the commitments in the Province of Ontario. I have not had these facts before me in recent years.

*By the Chairman :*

18623a. Have you at any time looked into the ratio of commitments, the total commitments for drunkenness, the convictions we will say being 1000 in Ontario, what is the ratio of that 1000 who go to jail for drunkenness. Have you looked into that?—In rural places I think they would all go to jail.

18624a. I am taking the aggregate for the province.—I have not made the analysis. That I cannot tell you.

18625a. You have not given any attention to it?—I do not know what ratio the arrests would bear to the commitments nor to the convictions either.

18626a. I am not speaking of the arrests, my question was this: what is the proportion of those who are convicted for drunkenness who go to jail? There is a certain portion paid in fines.—I should think the majority would pay fines.

18627a. In Ontario?—Yes.

18628a. You think the majority of those arrested would pay fines?—If not the majority of cases, the majority of persons. There are a great many repeaters.

*By Mr. Clarke :*

18629a. Would one-half go to jail?—I cannot answer that.

18630a. Would three-quarters go?—I cannot say. I may be wrong, but I think that in some places the commitments to jail would very much exceed the convictions in other places. I am inclined to think that in a town where there is no lock-up, and the jail is used for that purpose that a man who is arrested and taken to jail goes in amongst the commitments to jail for drunkenness. That is, he is entered in the jail book as drunk and goes amongst the commitments, and in that county the convictions would be probably less because a man might be released next day. In some towns where a man is arrested and taken in he goes into the jail books at once.

*By the Chairman :*

18631a. Returning to the State of Maine and making a comparison with Ontario I find in the year 1892 the commitments to jail in the State of Maine were 5.62 per thousand of the population against 4.22 in Ontario; and for drunkenness the ratio was 2.57 in Maine per thousand of the population against 1.28 per thousand in Ontario. Would you draw an inference from that in favour of the prohibitory law in the State of Maine?—No, sir; not from that. I may say in regard to that, that I have and I would like to submit it to you, a statement made by the present Minister of Finance who went carefully into the statistics some years ago, a comparison between Maine and Ontario and he affirmed that the commitments for offences for all kinds proportionately to the population were double in Ontario what they were in Maine. I would like to give you his figures. He has figured it out very carefully.

18632a. Take a series of ten years in Portland, where the figures were available, I think you will find that, of the total number of arrests in ten years, two-thirds were arrests for drunkenness. Do you feel disposed to come to any conclusion from that fact as to the sobriety or drunkenness of Portland?—I would be apt to conclude that there was a good deal of drunkenness in Portland. The very fact of the right of enforcement of the Maine law might account for that.

*By Mr. Clarke :*

18633a. The evidence shows that at some times in Portland the drunks would shake their fists in the faces of the policemen and dare them to arrest them?—What I meant to say was that the rigid enforcement of the law in certain places might be connected with more drunkenness than if the enforcement was lacking.

18634a. You think the more enforcement the more drunkenness?—I think that if the law were rigidly enforced in a number of surrounding places, then in the place where it was not enforced, there would be likely to be a good deal of drunkenness in that locality.

18635a. What do you think would be the effect of rigid enforcement of the law in Portland?—I suppose it would be a diminution of drunkenness, but I cannot conceive

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such a condition of affairs; that an increased enforcement generally in the neighbourhood would be followed by an increase of drunkenness in Portland or some other neighbourhood where the enforcement of the law was lacking, and therefore it would be evidence in defence of the law as far as that went, rather than anything else.

*By the Chairman :*

18636a. You submitted to the Commission, Mr. Spence, a statement in reference to crimes in the North-west?—Yes, I remember.

18637a. Were these figures taken from the criminal statistics of the Dominion?—From the criminal statistics of the Dominion.

18638a. Do you know if they include the arrests and convictions by the Mounted Police?—I think so; in fact I think they include little else, because I think that for a long time there was very little enforcement of the law except by the Mounted Police: and I think that the Inspectors acted as magistrates and I think that nearly all of these convictions would have been made by the Mounted Police. That is my impression. Of course I am speaking without absolute knowledge. I would not be at all surprised to find out that the convictions really were more than that, as I have found on examining the criminal statistics as reported to Ottawa, in connection with other cases, that they were far short of the commitments, and that the gathering in of statistics has been done very imperfectly.

18639a. I think you have made certain deductions from these statistics. I think in your evidence you quote these statistics to show an increase of crime in a recent period?—Yes.

18640a. Did you make any inquiry as to whether they included the convictions by the officers of the Mounted Police?—I did not. I assumed that they were correct. The officers of the Mounted Police acted as magistrates, and I assumed that they were all the returns of convictions.

18641a. Then, without the returns of the cases dealt with by the Mounted Police, yours would be a very imperfect record?—If they did not include these returns, they would be, no doubt.

18642a. The Mounted Police—this is a statement from the Department of Agriculture at Ottawa—acting under the authority of the North-west Mounted Police Act, have disposed of 2,199 cases; as far as we have been able to ascertain, exclusive of the returns which have been sent in by the judges and compiled for the criminal statistics of Canada by the Department of Agriculture?—I was not aware that it was exclusive. May I ask you what time that covers?

18643a. In 1883 the total convictions by the police were 139; in 1884, 265; in 1885, 173; in 1886, 406; in 1887, 197; in 1888, 145; in 1889, 189; in 1890, 164; in 1891, 202; in 1892, 319, making a total of 2,199 convictions. There were 435 for drunkenness and 540 for offences against the liquor law. All I want to ask you is as to the figures you previously gave. In face of the facts I have mentioned to-day, are they to be accepted as any indication of the working of a system controlling the liquor traffic in the North-west?—I would think, sir, that any class of convictions might be looked upon as representative, and if the Mounted Police were making convictions all along and the magistrates making convictions all along, I think the record made by the magistrates might be fairly taken as evidence of the general condition of things in the country.

18644a. Would not the judicial districts be extended as the population went into the territory; that is, the territory that the magistrates had jurisdiction over?—Yes, that might be. I notice that the statistics that you have just given me bear out conclusively the deduction that I had made before, which was to the effect that the repeal of the North-west prohibitory law is accompanied by a startling increase of drunkenness and of crimes of all kinds.

18645a. From what figures do you draw that inference?—That in the latter part of the year 1892 the increase is very great.



*By Rev. Dr. McLeod :*

18646a. What is the number in that year?—319 for offences of all kinds and 77 for drunkenness.

18647a. The liquor law came into operation when?—I think it was on the 1st May, 1892. The latter part of the year, of course, contains eight months of license, and you will notice from that the commitments for crimes of all kinds have gone up from 202 to 319. The commitments for drunkenness have risen from 29, which is four lower than previously, to 77.

18648a. Is that for a portion of the year?—The figures give the whole year; but for a portion of the year only it was under license.

*By the Chairman :*

18649a. The convictions for drunkenness as far back as 1884 were 62. In 1886 there were 75, and 1889 52, and they went down and up again?—You will notice that the year 1886 has a large increase of crime of every kind.

18650a. It was the year following the rebellion, was it not?—Yes.

18651a. In your evidence before you quoted the figures of the importation into the territory of gallons of liquors of all kinds?—That was the importation under permits.

18652a. Were you aware that when you gave these quantities under the latter year that they contained a very large proportion of four per cent beer?—I think so.

18653a. Do you mention that?—It was in that connection I was explaining how the four per cent beer had increased the consumption of liquor and as evidence I pointed out the great increase.

18654a. Will you show me in your evidence, Mr. Spence, where you state that a large portion of that was four per cent beer?—At page 18 of the evidence. I referred to the license for four per cent beer.

18655a. You quoted the figures showing a large increase of the quantity of liquor taken into the Territories. What I ask you now is whether you were aware that the increase was in this light beer containing less than four per cent of alcohol?—The immense increase was in this beer, but it is a fact that the increase was large in ardent spirits and there was a doubling up in five years.

18655½a. Did you tell the Commissioners that the large increase in this latter year which you quoted was in this light beer, or in beer with a very low percentage of alcohol?—I do not just now see in my evidence a direct statement as to that, but if it is omitted it is simply from the fact that it was so generally known that I thought it was understood.

18656a. What is the quantity that you have mentioned there?—153,670½ gallons.

18657a. Can you tell us what proportion of that was the light four per cent beer?—I have not the exact figures, but I should presume probably a hundred thousand gallons of beer.

18658a. You do not know the exact figure?—The exact figure I have in the table, but I have not it with me. There was a return brought down in the House showing exactly the amount.

18659a. Your figures represent the quantity for what year?—My figures begin at 1883.

18660a. But your last quotation?—1890.

18661a. In that year how much beer was there imported?—From memory now, I think that the spirits would be about 12,000 or 14,000 gallons, and that the beer imported would be about 100,000 gallons. The 4 per cent beer I am not sure about, but then there was a large amount of beer of other kinds imported.

18662a. In your evidence you speak of the maladministration in the North-west. To what cases of maladministration do you specially refer?—To the introduction of the system of license for the sale of 4 per cent beer.

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18663a. On what ground do you criticize that as an act of maladministration?—It was the breaking down of the prohibitory provisions of the law which had been enacted for the purposes of keeping liquor out of the North-west Territories.

18664a. Was it a breach of the terms of the law?—It was of the wording of the Act I think. I stated at the time how the Lieutenant-Governor had interpreted it, and interpreted it differently from all previous Lieutenant-Governors and in such a way as to authorize licenses.

18665a. If Lieutenant-Governor Royal interpreted the law correctly would it be an act of maladministration on his part to put it in force?—If he interpreted it correctly, no.

18666a. Do you consider it an act of maladministration on his part because he interpreted the law differently than from what some of his predecessors had done, or acted on other views of the law than which they acted upon?—I think we should take the wording of the Act and then the purpose of the Act. The Act was introduced into Parliament with the avowed purpose—

18667a. But has the Governor of the Territories any right to go outside the strict legal interpretation of the law; or rather, if he strictly interprets the law and acts upon the legal interpretation of the law, can he be charged with committing an act of maladministration?—Yes, providing he is going beyond his knowledge of the intention of the law. This law was intended to be prohibitory. I just noticed in my own evidence as quoted, a speech made by Sir Charles Tupper in which he says—that he had the honour of introducing into Parliament the most prohibitory law ever proposed in any country, and that it was a measure for entire prohibition.

18668a. The law is here for any one to read it, and it seems to be perfectly clear. Now, if it is your opinion that Governor Royal interpreted the law wrongly and acted upon it, and was guilty of an act of maladministration in doing so, you would be justified in making the statement. Do you say that he misinterpreted the law?—I would have no hesitation in replying to your question, that with the knowledge of the fact that the law was prohibitory, and in the face of the protest that was made against his action, when the Lieutenant-Governor introduced a license system into the Territories, it was an outrage, it was resented, you will remember, by the whole moral sentiment of the community; there were churches and conferences denouncing it.

18669a. Do not go into that, we had that before; I only want to know the ground on which you charge the Lieutenant-Governor with an act of maladministration. Here is the clause in the Act:

“No intoxicating liquor or intoxicant shall be manufactured, compounded or made in the Territories, except by special permission of the Governor-in-Council; nor shall any intoxicating liquor or intoxicant be imported or brought into the Territories from any province of Canada, or elsewhere, or be sold, exchanged, traded or bartered, or had in possession therein, except by special permission, in writing, of the Lieutenant-Governor.”

Surely the plain interpretation of it is that the Lieutenant-Governor may authorize liquor to be sold, exchanged, bartered or traded?—I may say, if you will excuse me, that that wording of the Act makes it clear that the Lieutenant-Governor in authorizing the trading or bartering was deliberately providing for the violation of that law and that the provision that any person may barter or trade in liquor to a person who does not hold his permit. You will understand that the person who purchases under that law is likely to have a permit, but the Lieutenant-Governor deliberately provided that certain individuals could bring in and give to others liquors whether they had a permit or not. He provided for free sale, authorizing them to sell, and they must have sold to persons who had not a permit, and therefore he provided machinery for the violation of the law. It cannot in any way be construed as meaning anything other than that the Lieutenant-Governor provided for trading and bartering and giving to people who had no permits. As a matter of fact, he did not intend to give permits to people who sold beer.

18670a. That is your explanation?—I think it is very clear. I may say that liquor was forbidden except where the Lieutenant Governor authorized it. It was forbidden to be sold, exchanged, traded or bartered except by special permission in writing of the

Lieutenant-Governor. Now, he authorizes the sale of it to the public, and that cannot mean persons who had permits. He provided deliberately for people to have in their possession liquor without a special permission being given. That was providing for the violation of that clause of the law literally as well as in spirit.

18671a. Did Governor Royal's predecessor impose a tax on beer brought into the Territories?—I have forgotten now, but I think Governor Royal put 10 per cent per gallon on beer brought in for sale.

18672a. Do you know the facts during Governor Dewdney's administration. Did Governor Dewdney impose any tax on beer brought into the Territories?—I cannot say, I do not know.

18673a. You referred in your evidence to a report by Commissioner Herchmer as proof that the introduction of the license system was very detrimental, and you went on to say that there were other reports in the same Parliamentary paper or official document expressing the same thing. I understand you to mean that these were reports from subordinates to the Commissioner?—Yes, I have said that, if I remember rightly.

18674a. Did you examine all these reports and documents?—I ran through them.

18675a. Were there any reports which speak approvingly of this change in the law?—I think there were.

18676a. I would just refer you to one from Superintendent E. W. Jarvis, in which he says: "The license system has come into force since the date of my last report and seems to work well, so far as my observation goes. There has been rather a diminution of drunkenness since its introduction." Did you see that report?—I saw a number of them; the bulk of them go to show that there was a vast increase of drunkenness, Col. Herchmer states here that there was more general drunkenness, especially among the half-breeds and Indians, and among the men of the force.

18677a. Have you seen this report; "When the License Act was introduced into the Territories great improvements were expected by many people who were dissatisfied with the permit system as under it a certain number of licenses were to be granted. While these expectations have been partially realized, in some districts the law has been carefully administered and even in the best regulated districts there has been more general drunkenness than under the permit system. The only result is that it is no better than under the old law"?—I think there is a stronger statement a little later on. He said: "I have no hesitation in writing that the quantity of liquor used under the license system very greatly exceeds that under the permit system, and heavy drinkers under the old system, except those who took the Gold Cure, still drink heavily and a considerable number of the settlers who never before used liquor are using it in many parts of the North-west in spite of the utmost vigilance on our part."

18678a. Did Commissioner Herchmer ever make any report on the permit system prior to the change being made, or make any reference in his reports to the working of the permit system?—He referred to it approvingly, I think, in several instances; and in some instances he favoured the change. He wanted to have beer brewed in the Territories.

18679a. Did you ever see this paragraph in one of Commissioner Herchmer's reports: "This is still a burning question, and causes us more trouble than ever. A speedy solution of the difficulty is, however, expected from the North-west Legislative Assembly now in session; in all probability a license system will be adopted which, if it is a strict one, and no exceptions under any circumstances allowed, will work well." That is from the report of Commissioner Herchmer the year before the adoption of the license system. Did that come under your notice?—I think so. It is well worth bearing in mind that when he wrote that he also wrote that the North-west prohibitory law was broken down by the Royal permit system, which had made it a very loose kind of license law.

18680a. Have you referred to any of his reports previous to that date?—Yes. I find that in 1887 he said: "The permit system should be done away with. In the first place, if the law is to be enforced it should be cleared of the technicalities that enabled many to escape punishment, as last year."

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18681a. Is it, or is it not, a fact that Commissioner Herchmer condemned the permit system?—Condemned the permit system as I think we all did, but commended the prohibitory law which did so much good. The permit system, as abused, was a source of a great deal of harm.

18682a. Did the police report on the difficulty of carrying out the permit system?—Very frequently.

18683a. They had brought to the notice of the authorities in several instances the difficulties that had to be contended with in giving effect to the law?—Yes.

18684a. Was anything said, in any of their reports, in regard to smuggling that went on and the bringing into the Territories illicitly very bad liquor?—I think reports were very often made to that effect; that the free issue of permits encouraged smuggling of liquor and that it was almost impossible to check smuggling on account of the free issue of permits.

18685a. It was not wrong on the part of the Lieutenant-Governor to issue permits, was it; he had a right under the law to issue these permits?—I would not like to say that he had a right under the law to issue these 4 per cent beer permits.

18686a. Prior to the 4 per cent beer being introduced, the Lieutenant Governor had power to issue permits for the importation of liquor?—The law authorized the Lieutenant Governor to issue permits for the bringing in of liquor.

18687a. Was it practical for him to refuse one person and to give a permit to another?—I think so.

18688a. Do you think he would have any difficulty in refusing Mr. Smith while at the same time he granted a permit to Mr. Jones?—He refused me once, when he was issuing them very freely to a good many other people.

18689a. You did not want a permit for the purpose of getting liquor?—Yes, I wanted liquor then.

18690a. Do you not think it would be an invidious thing for a Lieutenant-Governor to discriminate and give one man a permit and refuse another?—No, most decidedly. The intention of the law empowering the Lieutenant-Governor to issue permits was for the purpose of allowing him to withhold permits from people who should not have them. So far from its being invidious, I do not understand how he would do his duty except by issuing permits to those whom he was satisfied would use them properly.

18691a. A responsible person going with recommendations and asking for a permit, on what ground could the Lieutenant-Governor refuse to grant him one?—A responsible person going with the usual recommendations would probably comply with certain conditions. I do not know that the Lieutenant-Governor would have been justified in issuing permits freely if he knew they were for beverage purposes, even under the law.

18692a. Is that an answer to my question? Would he be justified in refusing an application of a responsible citizen who presented the necessary and usual recommendations?—Your question is as to what the Lieutenant-Governor should have done; he would be justified if he thought a responsible citizen would make improper use of the liquor or that harm would result from his giving it, he would be justified in refusing it.

18693a. Do you think that it was his duty to inquire as to what use the citizen would make of it before granting the permit?—The character of the applicant would in some cases be a guarantee that the granting of the permit was all right, and I think the character of the applicant in some other cases would be a guarantee that it was wrong.

18694a. Do you not think that that would be a rather invidious duty to impose on the Lieutenant-Governor of the Territories?—I think so, if the Governor interpreted the law to mean a permit law instead of a prohibitory law as it was expected to be.

18695a. Were permits not issued from the very inception or organization of the Territories?—There were very few in early years.

18696a. It does not matter whether they were few or large: were permits issued?—I think so.

18697a. From the very commencement?—I think so.

18698a. And subsequent Lieutenant-Governors who held office after the first one erred, if they erred at all in degree, and not in the principle of issuing them?—I beg your pardon, if I said anything that could mean that. My opinion is that the law was—

what Sir Charles Tupper who introduced it—called a prohibitory law, and under a prohibitory law there has always been recognized the necessity of providing facilities for securing liquor for scientific, mechanical and medicinal purposes. I think the Lieutenant-Governor who issued permits for the importation of liquor for beverage purposes would act contrary to the intention of the law.

18699a. Can you tell us if any Lieutenant-Governor refused to issue permits when applied to in the regular way by a responsible citizen?—I am of the opinion that they did.

18700a. You have no knowledge of that fact?—Well, I am giving a great many opinions as to what a Lieutenant-Governor should do, and what they should not do, under certain circumstances.

18701a. Do you know that the Council of the North-west Territories passed, in 1884, the following resolution: "That in the opinion of this Council the rapid increase of the population in the Territories has caused the necessity for some modification of the liquor law as at present in force. While acknowledging that the permit system has worked well in the past and has been attended with good results, it appears to this Council that the system at present in force might be altered so that beer and light wines should be exempted and allowed to be manufactured in the Territories under regulations to be made by your Excellency in Council"?—I am aware—but I cannot give the year—that a motion such as that was adopted in the North-west Council, the majority in favour of it being made up entirely of the appointed members and a large majority of the elective members voting against it, and that a little later on in the year 1887 such a motion was carried in that way, a majority of the appointed members voting for it, but a majority of the elected members voting against it. It was brought up when the Council was made entirely elective.

18702a. I asked you if you were aware that a resolution of this kind was passed in 1884 by the Council of the North-west Territories. I am not going into the composition of the Council?—I would like to say in reply—

18703a. Answer if you are aware that that is so?—I am sworn to tell the whole truth, and I must insist on being allowed to answer the question in the way that will tell the whole truth.

18704a. You can answer yes or no?—It cannot be answered in that way. I will answer the question if I am allowed to do so in my own words, but if I am not allowed I shall decline.

18705a. There is no use in going into the history of the North-west Council?—It is exceedingly necessary, under the kind of questioning I am at present undergoing. I am prepared to answer the question about the North-west Council.

18706a. Then answer it.—My answer is, that the North-west Council did, when it was a body non-elective, pass such a resolution as you have spoken of, and when it was an elective body the North-west Legislature passed a resolution against licenses; and a resolution declaring in favour of having a vote of the people taken as to whether they would have a prohibitory law or not, was passed in 1888.

18707a. Can you say if the following resolution was passed by the Legislative Council of the North-west Territories in November, 1887: "Whereas, in the opinion of this Council the present liquor system is unsatisfactory and ineffective either as a temperance or prohibitory measure; and whereas, on account of the disfavour in which the present law is regarded and its consequent ineffectiveness, a large traffic in illicit liquor has sprung up to the great detriment of the country, morally and financially;  
\* \* \* \* \* whereas, apart from any question of principle, the people of the Territories are united in the opinion that the time has come when they should be allowed to pronounce of themselves on the important subject of the liquor question; Resolved, that this Council is of opinion, (a) That power to deal with the liquor question similar to that enjoyed by provinces under the British North America Act, be given to this Council; (b) that the provisions of the Canada Temperance Act be extended to the Territories, and that the present provisional districts of Assiniboia, Saskatchewan and Alberta be districts under said Act; that sections 91 to 100 of the North-west Territories Act be repealed, such repeal not to go into effect until one month

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after the close of the next session of the North-west Council or Assembly"?—I am aware that that was introduced into the Legislature and that a majority of the elective body voted against it, but that the majority of the whole Council voted for it.

18708-9a. Then you are aware that on the 4th December, 1888, the Legislative Assembly passed the following resolution :—

"Whereas, on the 23rd November, 1888, the Assembly decided that a vote of the people should be taken on the question of license against prohibition, and whereas it has been decided that this Assembly has not the power to make provisions for taking such a vote, be it resolved that in the opinion of this Assembly a vote of the Territories on the question of license or prohibition should immediately be taken. And in the event of a provision for the taking of such a vote not being made by the Dominion authorities at the next session of Dominion Parliament, it is the opinion of this Assembly that powers similar to those enjoyed by provinces under the British North America Act in reference to the liquor question should be forthwith granted to this Assembly?—

Yes, I understand that that was an expression of their extreme dissatisfaction with the existing system and their desire for a vote to change it to a prohibitory law.

18710a. Do you know that these resolutions were forwarded by the Lieutenant-Governor of the Territories to Ottawa?—I do not, I presume they would be.

18711a. And in 1888 an Act was passed giving the Assembly of the Territories the right to legislate with regard to the liquor traffic?—I am ready to answer these questions, but I presume my answers cannot affect the fact of the passing of Acts by the Dominion Parliament, and I have not the details in my mind. I am quite willing to accept any statement of yours as to when Parliament passed that Act.

*By Mr. Clarke :*

18712a. When did the Scott Act come into operation in the County of Halton. We have it in evidence that it was the first day of May, 1882?—I think it was about that time.

18713a. Then it was repealed on the first of March, 1888, but continued in force till first of May, 1888?—You are probably correct. It was in force much longer than in any other county; I think it was in force from 1882 to 1888.

18714a. Have you any record of the committals before the Halton magistrates for that period?—I have no record on the matter.

18715a. We have a statement here before us which we have been considering and to which reference has been made, and we would like to know if you have anything of the same kind, or if you could send us a table showing the commitments before the magistrates of the County of Halton from 1879 to 1887 inclusive?—I have not any data with me and I do not know that I can get it.

18716a. According to the figures laid before the Commission the average convictions, at least during the last three years preceding the Scott Act, were away below convictions during those years of the Scott Act. I would like to know if that is the case?—I will look to it.

*By Rev. Dr. McLeod :*

18717a. Governor Royal says that the increase in the population of the Territories kept pace with, if not exceeding a little—that is the substance of this statement—the importation of liquors into the Territories. Have you any figures that would show differently from that?—I ask you because I had the impression myself that the consumption of liquors was increasing faster than the population?—I may answer by saying that the consumption of liquor under the permits—I have not got them further back than 1883—it was then 6,736½ gallons, and in 1890 it was 153,670 gallons.

18718a. How much of that was spirituous liquors?—I cannot say exactly; I referred to that when answering the Chairman a moment ago. In 1889 there was 151,629 gallons of liquor of all kinds. I think that 112,448 gallons would be the amount of 4 per cent beer, but there is also a large quantity of stronger ales. The figures for 1889 are, 124,000 gallons, of which 112,448 gallons were beer and 11,500 were spirituous liquors.

*By the Chairman :*

18719a. Where did you get those figures ?—From the special returns laid before the House of Commons. The increase from 1883 to 1893 is from 67,000 gallons to 150,600 gallons.

*By Mr. Clarke :*

18720a. There is 100,000 of that beer ?—I may say that, to my own personal knowledge, what was called 4 per cent beer was to a great extent regular ale. I was informed by men dealing in it that they did not discriminate between 4 per cent beer and any other beer.

18721a. How do you know of your own personal knowledge ?—I saw the bottles and saw liquor sold ; and I asked if that was what they were selling, and they told me, Yes.

18722a. Where did you make that inquiry ?—At points on the line.

18723a. There was no 4 per cent beer, it was all strong beer, was that what you heard ?—That strong beer was brought in and the Mounted Police could not tell whether it was 4 per cent beer or 6 per cent beer.

(Witness here filed, at the request of Dr. McLeod, a copy of the Ontario Official Gazette, containing figures of the plebiscite vote.)

*By Rev. Dr. McLeod :*

18724a. I want to know if it is possible to ascertain the figures about the vote in Scott Act counties on the prohibition question. I want to know how the vote polled on the question of prohibition compares with the votes polled for the adoption of the Scott Act, and in the second instance as compared with the votes on the repeal of the Scott Act ?—I have made comparisons of it, but I had no idea that I would be asked for it. I have got it in the shape you mean.

18725a. Have you that information ?—I have.

(Statement handed to the Secretary.)

*By Judge McDonald :*

18726a. I think you stated that those in favour of prohibition never got all the machinery in Ontario that was considered necessary. Has that machinery been obtained yet by legislation ; in other words, supposing the Scott Act was put in force to-morrow in Ontario is the machinery now all right ?—It is more perfect than it was before.

18727a. Is it perfect yet ?—Oh, no.

18728a. You have studied this question a good deal with regard to the different countries in which a prohibitory law is in force now, and in which country prohibitionists agree that they have all the machinery necessary ?—I cannot say.

18729a. Do you know of any ?—I may know of a country, but I have not any recollections of it, nor could I say whether they were satisfied or not.

18730a. You cannot point us to any such country ?—I cannot answer your question.

18731a. You do not know of any state or country in which it could be now said that the machinery is complete ?—That is a totally different question to the one I answered. What I want to say is that I cannot tell whether people in any particular place were satisfied or not, I have not sufficient knowledge to know ; whereas if I gave a direct answer to your question I would be stating that I did not know of any country where people were satisfied, which would mean that I knew that nobody was satisfied. My answer to your question is that I cannot tell.

18732a. I understood you to say, in reference to the machinery in Ontario, that in some counties the machinery was granted by the Government, and in others not ?—What I meant to say was that there were some places where they had Police Magistrates and efficient Inspectors and some places where they had not.

18733a. The Scott Act was repealed alike in counties where they had the machinery and in counties where they did not have the machinery ?—The Act was repealed in

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all counties in Ontario. What I understood from your question was that there were a number of counties where we had everything just as we wanted it; what I meant was that in some counties these things were done that I mentioned.

18734a. Was there sufficient machinery?—That question was not asked.

18735a. In Toronto, in reply to the question of compensation, you said in your evidence "At the time of the Emancipation Act there was a slave trade going on, there were vessels fitted up for the slave trade. No one ever got compensation. The only compensation Britain ever offered them was shot and shell wherever they met them. I would treat the liquor manufacturers' plant in the same way as the slave dealer was treated." Did I understand you to say that as the slave owners' vessels were destroyed without compensation you would deal in the same with brewers and fittings up?—I did not understand that the slave owners' property was destroyed.

18736a. That is what you stated?—I did not mean to state that shot or shell was fired into them, what I meant to state was that there was no compensation given to slave traders for the loss of their appliances, and that the same treatment should be given to the brewers.

18737a. That is what you meant by the statement?—Yes.

18738a. You mean that there should be nothing allowed to them?—Yes.

18739a. I want to ask whether in your own mind you put brewers and distillers upon the same footing morally with the slave traders?—I would be inclined to ask with all respect to the Commissioners what value can my opinion on this point have, what bearing can it have on the evidence which I have sworn to give before this Commission. My opinion as to the relative morality of liquor sellers and slave traders is one that cannot affect any question before the Commission, I humbly submit.

18740a. Do you put the manufacturers of liquor on the same footing as the slave trader morally?—I am willing to answer every question, but I have a kind of dislike to talking about the moral character of the business, because I consider that then you have to go into the question of the motives of persons who engage in it. The business would not be essentially itself sinful for a person who carried it on acting in good faith, even though it might be harmful to his fellows.

18741a. Even though he might be a slave trader?—Yes; I can conceive of a slave trader not doing what he thought was wrong, but I would not approve of the business.

18742a. Did you hear Colonel Herchmer make his statement before the Commission at Prince Albert in the North-west Territories?—I did; but I cannot say whether I was present during all his examination or not.

18743a. Did you hear him say with regard to the licensing law that he thought it a good law if properly carried out, but he did not think it was as well enforced as it ought to be?—I cannot say if I remember that.

18744-45a. Do you remember this:

"Taking the three systems that were in operation in the North-west Territories, the permit system as it was first administered, the permit system of the 4 per cent beer and the present license system, which do you think the best one?—There were few people in the country when the permit system was established and of course you could not carry it out effectually; taking it altogether, with the exception of liquor given to the half breeds and Indians, I think the license system is way ahead of anything else."

Did Col. Herchmer say that?—If it is in the record that he said it, I have no doubt it is correct.

18746a. Do you remember Mr. Norman being examined?—I cannot say; I cannot remember the details of the evidence, but I am quite satisfied that you are reading it correctly and that the record is correct.

18747a. Do you remember Mr. Norman being asked whether he noticed there was more drunkenness under the license system and he said "I think there is less drunkenness; I have known a hundred gallons to come in under permits and as long as it lasted it was a jamboree"?—I would repeat my general answer that it is impossible for me to remember all these details.



18748a. Do you remember him saying that he thought the license system if carried out to its full extent was the best?—I submit that my recollection of the evidence given at a certain time is not what I am here for. I decline to answer that question unless the Chairman rules that I should answer it.

18749a. Then you won't answer the question?—I will answer the question if I am ordered to. I withdraw my refusal until I get a decision.

18750a. I asked you if Mr. Norman made that statement?—I asked you whether I am here to be examined upon my recollection of what a witness stated at any place. I am anxious to give all the evidence I can, and if the Commission thinks it is my duty to, I should like to have the ruling on it.

Judge McDONALD :—I may state here that Mr. Spence put in his evidence at Toronto what professed to be a statement of certain officers of the North-west Mounted Police in returns made by them to the Government. I am trying to bring to his memory whether he heard these or not.

Mr. SPENCE :—If I am to be examined on the accuracy of the stenographers' notes or of what happened in Prince Albert, I would wish to know it.

The CHAIRMAN :—I understand this is the point. You have given certain evidence before this Commission, you have referred to reports of the officials of the North-west Mounted Police, and the point which my colleague raises is just this : whether or not we are to attach more importance to the evidence given by these officials before the Commission than we are to these quotations from their reports which you gave us, and whether, when you gave that evidence before us you had knowledge of what had been sworn to by these same officials. That is the point. You gave quotations from reports of these officials and they created a certain impression, the officers themselves have given evidence before the Commission which creates another impression. The question is, have you knowledge of that evidence. Judge McDonald is asking you if you had knowledge, you need not say more than that.

Mr. SPENCE :—I do not wish to go on record as refusing to answer anything. If my evidence as to what Commissioner Herchmer said in one place is to be compared with evidence in any other place, then I submit that the members of this Commission themselves can compare the two statements. But I submit that the reading to me of that evidence and asking me if I heard it, is not what I am here for. I made my statement honestly, conscientiously and to the best of my belief on oath, and all that is read from that report or any other report would not induce me to alter what I believed was absolutely true when I stated it.

The CHAIRMAN :—I am sure that no member of this Commission would think of charging you with anything of the kind, or place you in any such position.

Mr. SPENCE :—I submit that the only thing that this examination now going on can be is a test of my memory. I am quite willing to have my evidence read and any conclusion you like drawn from it.

Judge McDONALD :—If this course is to be pursued, it seems to me that every witness who has made a statement that seems to be contradicted by some person else, can be brought before this Commission and have his evidence criticised. I say freely that, if I were asked if I remembered if I heard this and that, I would not like to answer it.

Mr. SPENCE :—I decline to be tested on my memory.

*By Judge McDonald :*

18751a. Superintendent Cotton was asked this question :—

Q. "Under the license law what difficulties have you experienced?—A. We have no difficulties and no complaints have been made to the police as to the enforcement of the law, up to this time the law has been enforced."

Do you remember that statement?—I take it that all that Judge McDonald reads as being on the record is correct and I must decline to be submitted to a mere test of memory and to answer whether or not I remember all that was said at that time.

18752a. You do not remember it?—I do not answer anything of the sort, I will not answer the question unless you rule that my memory of what happened there has some bearing on the inquiry.

FRANCIS S. SPENCE.

18753a. Were you at Banff in the North-west Territories?—Before I answer that question I want the ruling of the Chairman as to whether or not I should answer it. If it is meant to impugn the accuracy of my evidence I must object. I object unless the Commission rules that I am to be cross examined upon whether I swore correctly or not when I gave my evidence.

The CHAIRMAN :—I do not know that that necessarily follows.

Mr. SPENCE :—May I ask the Chairman's ruling as to whether I am bound to answer these questions or not?

*By Judge McDonald :*

18754a. Were you at Banff in 1892?

Mr. SPENCE :—There is another question I would like to answer with respect to a statement of Major Cotton's and if the Chairman says it is necessary I would like it down.

The CHAIRMAN :—I say you may please yourself.

*By Judge McDonald :*

18755a. Were you at Banff, in the North-west Territories, in 1892?—I was.

18756a. Did you hear Inspector Harper examined there?—If he was examined in my presence, I heard him.

18757a. Did you hear Inspector Harper give this evidence :—

Q. "Do you think the law would be a good one if carried out?—A. Yes, the prohibitory law would be a good one if carried out. I think the permit system is superior to the one in force."

Did you hear him say that?—If that is in the record I am quite willing to accept it.

18758a. You have no knowledge of what means he had of judging when he gave that answer?—I presume he was an official.

*By Mr. Gigault :*

18759a. When you were in Kansas City, Kansas, did you see any place where liquor was sold?—I was not in Kansas City, Kansas, in the first place, with the Commissioners, and my stay there was very brief.

18760a. When you were, you did not see any place where liquors were sold?—I was there a little while on Sunday and I walked along the street. I did not see any liquor sold, I did not make any investigation.

*By the Chairman :*

18761a. I understood from your evidence that the Dominion Alliance approved of bringing into force in certain counties in Ontario, of the Scott Act, and used influence to get the electors to vote in favour of the Act?—Yes.

18762a. You, as a leading representative of the Alliance—and I presume I may say the same thing of all members of the Alliance, consider that the Scott Act, in districts where it was put in force in Ontario, did good. You have told us that you think it reduced drunkenness and you think it reduced crime. Further you have told us that the Alliance was using influence to get voters to vote in favour of the continuance of the act, when it came up to be repealed. Did I correctly surmise the attitude of the Alliance toward the Scott Act in Ontario?—You have stated my view in regard to it, and I think that is the view of the majority of the members of the Alliance.

18763a. Then the members of the Alliance looked upon the repeal of the Scott Act, in various counties in Ontario, with feelings of regret?—Yes.

MONTREAL, 3rd March, 1894.

The Commission met at 10 a.m.

*Present :*

SIR JOSEPH HICKSON, Chairman, presiding.

JUDGE McDONALD.  
MR. E. F. CLARKE.REV. DR. MCLEOD.  
MR. G. A. GIGAULT.

LOUIS P. KRIBS, of Toronto, Journalist, continued his evidence. He said :

In Nebraska, I visited Lincoln and Omaha. Both are fine places, Omaha being a large city. They are under a high license law, and the law, so far as I was able to observe, is well carried out. Omaha is more like Toronto on Sunday (with the exception that street cars are allowed to run) than any American city I have ever been in. I visited a park there on Sunday, larger than the one in Kansas City, Kansas, but a direct contrast to it in every particular. It is beautifully situated and laid out, with large numbers of shade trees. Thousands of people came out on the street cars and enjoyed the shade and the flowers and the beauty of the scene generally, and for their amusement an excellent band performed a programme of a very high-class character. When the programme was exhausted the crowd gradually wended their way home. No refreshments of any kind were sold. As to the observance of the Sunday closing law in Omaha, those who try can undoubtedly get into the side doors without much trying. I found one of these places, a man standing at the door keeping watch for the police, and I being admitted through the side door. But nevertheless, I am perfectly safe in saying there is very little drinking done in Omaha on Sunday, although there are a large number of Omaha people who drink. These cross the river to Council Bluffs, Iowa.

*By Judge McDonald :*

18764a. I understand you made a statement on one occasion, that Hon. W. F. Wolfberger of Nebraska, while in Toronto, made certain remarks in regard to this Royal Commission?—Yes, but I did not hear the remarks myself.

18765a. I understand you made such a statement?—Yes.

18766a. Will you tell me in what connection Wolfberger was stopping in Toronto?—He was in Toronto in connection with the plebiscite campaign that was being carried on there.

18766½a. Speaking in favour of prohibition?—Yes, in a church in the west end of the city.

18767a. I understand that you made a statement that Mr. Wolfberger said that the Royal Commission presided over by Sir Joseph Hickson took its witnesses from the gutter, and that every one who appeared there to give evidence against prohibition had a danger signal at the end of his nose. Did you hear Mr. Wolfberger make that statement?—I was not in Toronto at the time.

18768a. What then was your authority?—Two or three people who heard the statement, and it appeared in the newspaper and was not contradicted. I read it there and it was not contradicted. I also heard the statement from two or three people who were present at the time it was made. There is no doubt whatever about the statement having been made. I also heard the statement sworn to under oath by a high official of the Ontario Government who was present and listened to it.

18769a. Did he give evidence in Toronto?—Yes.

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I had been through Iowa twice before my last visit, but saw little of the workings of the law, except to ascertain that probably the only men deprived of the right to use liquor, were the travellers or other persons on the trains who were most entitled to it. Last year, my first visit was to Council Bluffs. I went over to that town from Omaha on Sunday. There is communication by railway between the two towns and an electric street car service. The trains and cars were crowded with people going over and coming back. On the streets of Council Bluffs I saw some drunkenness, but not a great deal. There was no difficulty in walking right into the bar-rooms; they were wide open. Some had the front door shut, but a man on duty directed you to the side door.

*By the Chairman :*

18770a. What was the character of the bar-room to which you refer? Are they of the same character as bar-rooms in any ordinary licensed town?—Yes.

18771a. Were they fitted up with glasses and all the paraphernalia connected with liquor selling?—Others did not trouble themselves with this precaution, but left the front door open. I saw in one bar-room a set of stereopticon views of a character that would never be allowed in any saloon under license. Every saloon there has its sign out and fills the window with bottles and other devices to attract attention. There is no pretense whatever in concealing the existence of the traffic. Two days later I again visited Council Bluffs. Being a week-day the business was going on; perhaps not quite as freely as upon the Sunday, but quite as freely as is to be found in any licensed place.

18772a. What do you mean by the term "freely"?—It was more extensive on Sunday than on week days, for there were more people about and they were not pursuing their usual avocations.

18773a. Did I understand you to say there was no interruption of the liquor traffic on any day?—Yes.

The population of Council Bluffs is 21,600 and there are 76 places selling liquor. I was given a drive about the city by the City Marshal, who told us he was glad of the chance to "cut loose" as he expressed it, and tell the truth. The people there thought that the town was being seriously injured by the attempt to enforce the prohibition law. They were not progressing as in Omaha, and they took the law into their own hands. The records show that despite the large, what I would consider unusually large, number of drinking places, the town is orderly and quiet, one of the best in that respect in the State. To show that the Marshal spoke the truth, I beg to quote a clause from the Mayor's annual address to the City Council, April 3rd, 1893, as follows :

"The report of the City Marshal shows that he has collected and paid into the hands of the City Clerk, \$46,234.15. This has been accomplished in a great measure through his energetic and efficient attention to his official duties," etc. And this, "We are in the right path, for notwithstanding desirable and valuable improvements are being constantly made, still within the past year our current expenses have been reduced, our taxes have been reduced, our indebtedness largely reduced, and the value of our city warrants increased from 93 to 97 cents. Let us persist in following the same course, undeterred by the clamour of noisy demagogues, who are nearly always influenced by personal motives, for it will certainly lead to a sound and independent financial condition, and ultimately to the greatest prosperity."

(Signed),

N. D. LAWRENCE, Mayor.

18774a. Do you know what period was covered by the return showing that the City Marshal had collected and paid into the hands of the City Clerk \$46,234?—The current year previous to this statement addressed to the City Council April 3, 1893. While we were at Council Bluffs a State convention of bankers was being held. I conversed with many of them and heard the same story of non-observance of the law from different parts of the State. Those were leading financial men whose testimony can be relied upon.

Des Moines is the capital of the State, and has a population of 50,000 or slightly more. The average Des Moines citizen will tell you it is anything, from sixty to eighty thousand. On my entrance, we were greeted with the following from the Des Moines Leader :

"If the distinguished visitors from the Dominion are really seeking information and will consent to place themselves under the guidance of any private citizen and carefully avoid association with officers during their visit to Des Moines, they can easily gain access to not less than three hundred places in Des Moines where liquor is sold.

"If they will call upon the Federal District Attorney he will tell them that the revenue collector for this district has granted three hundred Government licenses in Des Moines alone for the sale of liquor. If they will visit the District Court and inspect the records, and later call upon the Justices of the Peace, the Police Judge, the Chief of Police, they will strike a lead that will open up a mine of information. They will discover that two-thirds of the culprits arraigned and tried in the Federal Court at the term now in progress were arrested for violating not only the Government revenue laws, but the State prohibitory law. The gentlemen will remain in Des Moines two days, and if they follow the course indicated the reading of their subsequent report will create lively interest in Des Moines."

Subsequent investigation proved this challenge to be well founded, and the statements contained therein practically correct. On the night of my arrival, putting up at the leading hotel, the Savary House, having got in late, I put the question, "Where is the bar?" The clerk said they did not have a bar, but they would send to my room anything I wanted, or I could go to the drug store. The drug store opened out of the rotunda of the hotel, and is one of the leading places for the dispensing of drugs in the town. I do not think that in this drug store at least liquor is sold by the glass. I asked them if they had any Canadian whisky. The man sold me a bottle of Walker's Club rye without asking any questions or requiring from me any statement whatever. I may say here that I found Walker's Club rye in Kansas in every place which we visited that I asked for it. The following day I visited the capital building, where Governor Boies made a statement, and where the Republican Secretary of State, strong Prohibitionist though he was, frankly admitted that the working of the law convinced him in favour of license, or, rather, local option. I have no doubt that already at that time the Republicans had decided to adopt the platform which later on they carried to such marked party success.

18775a. What platform?—The Republican party in the convention of that year, some time after my visit, adopted a plank in their platform, declaring for local option as against the strict maintenance of the prohibitive law then in force.

18776a. That is in the State of Iowa?—Yes, and the result was a very marked success for the Republican Party. They are now fighting over the law in the Legislature.

*By Rev. Dr. McLeod :*

18777a. Have they made any change in the prohibitive law yet?—No. There are three or four bills reported from sub-committees, but they have never got beyond the Committee stage either in the House or the Senate, at all events up to the last few days.

18778a. Is there any proposition to repeal the prohibitive law?—Yes, the Democrats have proposed a repeal Bill and a return to license giving local option under the license system. There is a report from Mr. Funks's Committee and Joint Committee of the House and Senate in favour of a Bill to tax any liquor seller one thousand dollars, but not to exempt from the effect of the prohibitive law even then. Then there was a House report retaining the prohibitive law, but to make a mulct tax of five hundred dollars payment which would suspend, so far as those facts were concerned, the operation of the prohibitive law. Then there is Senator Carpenter's Bill which provided for local option where one-third of the people voted for it, at the same time retaining the prohibitive law, but where one-third of the people or any district or town of over four thousand inhabitants take a vote on local option and decide to grant licenses, then licenses shall be granted and the licensee be taxed at a certain rate. This Bill proposes to appoint Inspectors and Chief Inspectors and as many Sub-Inspectors as shall be

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necessary, whose duty it shall be to examine all liquor sold in the State, and see that it is pure. None of these Bills has yet come before the House or the Senate, nor, as I have said, got beyond the Committee stage.

*By Judge McDonald :*

18779a. Is the last named bill introduced by the Republican members?—Yes.

18780a. Is it a scheme which the Secretary of the State framed?—It is practically that scheme; it is retaining the prohibitive law, giving local option to the people and voting for license. I visited the police court, and was shown in the cellar a large quantity of confiscated liquors. I noticed that many of the barrels were marked John Doe and Richard Roe, and in one instance it was Mrs. Roe, but the object of this I learned later on. During the day I had been told, and had partially satisfied myself, that, although Des Moines professed to enforce the prohibitive law, yet the enforcement was a marked piece of hypocrisy and fraud, and in visiting a newspaper office I asked the editor if he would detail one of his staff to show me about the city for a short time in the evening so that I could satisfy myself as to what really was the practice. He complied, and that evening his city editor accompanied me, the editor himself being one of the party for a short time. We went about probably for an hour. I need not go into the details of all the places we visited, but, in a way, the *modus operandi* was this: The drug store would have in the front a few bottles and a big cigar case. Back of the prescription counter would be the bar. A person entered, walked back of the prescription counter and ordered what he wanted and paid for it.

18781a. Did the prescription counter run up in the shape of a screen?—Yes.

18782a. So, when a person walked behind the counter he would be behind a screen?—Yes, and concealed from view from the front. We went into a number of such places. The first we went into, the city editor remarked to me that if the person in charge was asked to put up a medical prescription he would probably drop dead.

*By the Chairman :*

18783a. What are we to understand by the term "that if the person in charge was asked to put up a medical prescription he would probably drop dead"?—It was his strong manner of stating that the drug store was not a drug store for prescription purposes, and that no prescriptions were ever filled there.

18784a. Then the remark that "the man would probably drop dead" would mean that he would be so surprised at having been requested to make up the prescription that it would affect him fatally?—Yes.

*By Judge McDonald :*

18785a. The same man appears to have made the statement in the evening that the man who made up the prescriptions in the drug store during the day left early in the evening and did not return?—Yes, that was in another drug store.

18786a. So that in the evening there was no one in attendance to make up prescriptions, but the sale of liquor went on as usual?—It means that the druggists made no pretense to make up prescriptions. The bar-room from one of these drug stores opened into the rotunda of a hotel. We crossed the rotunda, went through the door, and found ourselves in the bar-room of another drug store. So that this hotel had practically two bars running to supply the guests. We went into one or two restaurants. These sold liquor, and I was told that practically every restaurant in the city had a bar attachment. Then the city editor said he would show us a saloon, and we went to a saloon. This saloon was exactly on a par with one of the Toronto saloons, except that it was not as well fitted up. The front room was a cigar stand, and passing through the folding-doors you found yourself in a bar-room. Five minutes before we entered the police had raided this place, seizing a barrel partially filled with lager beer and carrying it away. They seized nothing else. There were bottles on the stand, there were bottles of whisky and other liquors on the ice-box, but they took nothing

but the beer keg. Apparently nobody had gone away, nor was any excitement created, and when we were there a few minutes afterwards there were seventeen people in the place, if I recollect, besides our party, some of them drinking and others talking. I here ascertained what the labelling of the kegs "John Doe" and "Richard Roe," the old English legal fiction, meant. It appeared that next morning at the Police Court the keg, and not the proprietor of the saloon, would be tried, found guilty and condemned. Leaving this, I was shown, among other places, two clubs. One was a club of the better class, there being several rooms fitted up comfortably, and a very nicely appointed bar in one of them. I believe nobody but members of the club could purchase liquor at that bar. Above this, on the next floor, was the second club, more of the character of the workmen's club, with a barrel of beer on top, two or three rooms in which games of amusement could be played, and smoking rooms. It was an ordinary, comfortable place. There were a number of men there, apparently workmen, and they were enjoying themselves quietly in conversation, and were having a glass of beer with their pipe. I saw nothing objectionable in either place. We did not visit any of the lower class of joints, although the places where they exist were pointed out. We were out probably an hour, and at no time were we, I should judge, more than 400 yards distant from the newspaper office from which we started. Yet in that time, and in that radius we must have visited probably twelve or fifteen places where liquor was sold, and had a great many others pointed out. I have no doubt whatever that the challenge thrown out by the Des Moines paper was perfectly correct, and that at least from 350 to 500 places are regularly engaged in selling liquor in Des Moines.

In Cedar Rapids the saloons are perfectly wide open. The city practically takes a license fee for these places and there are some seventy of them in operation. Two breweries exist, or did exist, in Cedar Rapids. The one was in full swing when I visited it. The proprietor of the other told us to come down the hill and he would show us his new brewery. (I was in company with the Mayor of the city and other residents.) The new brewery consisted of a railway siding upon which stood a train of thirteen cars loaded with beer from St. Louis and Cincinnati. A police officer took us around the town, and showed us the system of running the saloons. We visited a great many of high and low degree. They were exactly the same as the saloons in any license town, and seemed to be conducted very satisfactorily.

*By the Chairman :*

18787a. Do you know what was the character of the beer to which you refer?—Lager beer.

18788a. Was that the character of the beer sold in the saloons which you visited?—Yes, it was lager beer, almost entirely. I may say that throughout the Western States there is hardly any ale sold; it is almost all lager beer from the big breweries of Cincinnati, St. Louis, Milwaukee and other large centres. The brewery at Cedar Rapids was manufacturing beer of a very fair quality.

The next place visited, Clinton, makes no pretense whatever at observance of the law. The number of saloons in this place was something amusing. On the main street they predominated over any other business, and one was led to wonder how they could all make a living. Many of them were fitted up with considerable magnificence.

Dubuque is the most considerable city in the eastern part of the state, and is probably the largest city in the state with the exception of Des Moines, closely approaching that city in population. It has industries of considerable size and has large railway interests. Four breweries are in operation there, two of which I visited. Standing at one street corner I counted eight saloons in sight, and in walking along a short block counted fourteen. There are altogether some 250 places selling liquor, so I was informed, in this city. There is of course no pretense at concealment. The City Marshal, Sam Rice, collects \$50 twice a year from them on the charge of their conducting disorderly houses. The authorities there told me that they had run them in this way ever since the prohibitive law came into operation. There are no gambling houses allowed in the city, nor any houses of ill-fame. The city directory in its business column gives 2 breweries, 6 bottlers, 35 hotels, 10 wholesale liquor houses and 181 saloons.

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I did not visit Davenport myself, but conversed with many residents from that place, and believe that there too, there is no pretense of concealment of the sale of liquor. The bar-rooms and the hotels are quite open, the saloons have their signs out, and there are said to be nearly 300 places selling. The principle, however, upon which they are conducted is what is known as the "beverage license." That is a saloon gets a license to sell beverages of a non-intoxicating character from the city, and by paying this license fee, they are not molested when they sell intoxicating liquor. There was at one time a project to establish a state police for the enforcement of the law.

18789a. Is the brewing of beer permitted under the law in the State of Iowa?—Yes. Davenport sent to the capital a warning that any such attempt would be a risk of the lives of the men sent, and it was dropped.

*By Judge McDonald:*

18790a. What knowledge have you of that fact?—I was not there but I had conversations with many leading men, one was a banker, a very prominent man, and other leading men of Davenport.

18791a. Then residents told you this?—Yes. I conversed with them and I learnt it from them. It is their statement, not from my personal knowledge.

*By the Chairman:*

18792a. Have you any papers showing that this was done?—I have not. Yet with all, there is less crime in Scott County, in which Davenport is situated, than there is in Polk County, of which Des Moines is the centre. The figures are: Scott County population 43,100 convictions in 1890, 18; convictions in 1891, 48. Polk County, population 65,400, convictions in 1890, 83; convictions in 1891, 98.

*By Judge McDonald:*

18793a. In your statement you say that "Davenport sent to the capital a warning that any such attempt would be at the risk of the lives of the men sent, and it was dropped"?—If such a statement was sent to the capital, it must have been by resolution of the City Council. Are you aware whether such was done?—I believe it was done through their representatives in the Legislature.

18794a. Was that the information you obtained?—Yes; that it was sent to their representatives in the Legislature both in the House and the Senate.

18795a. Did you learn whether their representatives made that statement in the House and the Senate?—Yes; that was the statement made, and that led to the project to establish a state police being dropped. That is the information given me. I was not there on the spot, and of course have no personal knowledge of it.

18796a. You also say yet with all, there is less crime in Scott County, in which Davenport is situated, than there is in Polk County, of which Des Moines is the centre?—The figures are: Scott County population 43,100, convictions in 1890 18, convictions in 1891, 48. Polk County population 65,400, convictions in 1890, 83; convictions in 1891, 98.

18797a. Where did you obtain those statistics?—I obtained those figures from official sources.

18798a. Will you put in the official documents?—I will send them to the Secretary.

*By Rev. Dr. McLeod:*

18799a. Where is Davenport situated, on the River?—On the Mississippi side.

*By Judge McDonald:*

18800a. Davenport, I believe, is a river town on the Mississippi?—Yes.



18801a. And Des Moines is in the centre of the state?—Yes. The *Globe* Commissioners to Iowa were very much shocked at the system of practically licensing the social evil in Davenport, and appeared inclined to ascribe this in a degree to the lawlessness prevailing owing to the defiance of the prohibitive law. If they had gone north to Dubuque they would have found a much larger and a more busy place with an equally large number of saloons, an equally open defiance of the law, without a house of ill-fame allowed within the city limits at all. I merely mention this as showing that the question of the social evil is entirely dis severed from the question of a prohibitive law.

*By the Chairman :*

18802a. You say "the *Globe* Commissioners for Iowa were very much shocked at the system of practically licensing the social evil in Davenport, and appeared inclined to ascribe this in a degree to the lawlessness prevailing owing to the defiance of the prohibitive law." By the *Globe* Commissioners do you mean the men set out by the Toronto *Globe*?—Yes.

18803a. What knowledge have you of their opinions?—I have knowledge of their published reports.

18804a. Then you are referring to what they have stated in their reports?—To what was published in their reports. As to Dubuque, that is from my personal knowledge and information obtained from officials there. The same also applies to the next remarks, "the question of the social evil is entirely dis severed from the question of a prohibitive law."

Iowa first adopted prohibition in 1855. In 1858 it having been discovered that the law was retarding the progress of the state it was modified to permit the sale of ale, beer and wine. During the war period the prohibition of the sale of spirits fell into disuse. A constitutional amendment was carried in 1882, was declared unconstitutional, but the legislature passed the present law in 1883. As in almost every instance the prohibitive law never did have the support of the majority of the electors. On the constitutional amendment, June 27th, 1882, there were polled for the act 155,438, against 125,677, majority 29,759; total vote 281,113. For Governor, the following year, there was polled 327,266 votes, and for President a year later 375,377 votes. It will be seen at a glance how large a number of people abstained from voting on prohibition. To-day I do not believe there is an honest attempt at enforcement in any municipality outside of those where no liquor would be sold, no matter what law might be in force. And more liquor is sold in some places to-day in Iowa than was sold under license. Let me give you some statistics on this subject.

Following is a table giving the number of Government licenses issued from 1882 to 1892, inclusive :

—	Retail Dealers.	Wholesale Dealers.	Retail Malt Liquors only	Wholesale Malt Liquors only	Brewers.	Rectifiers.
1882 .....	4,104	55	321	54	...	..
1883 .....	5,001	86	283	57	117	20
1884 .....	3,989	63	216	54	86	16
1885 .....	3,549	52	229	60	100	7
1886 .....	3,769	57	152	64	98	8
1887 .....	3,584	54	283	66	78	13
1888 .....	2,928	36	249	48	74	6
1889 .....	3,575	42	270	68	50	7
1890 ..	3,975	35	225	85	22	8
1891 .....	*6,874	*54	*395	*267	*29	*11
1892 .....	†5,846	..	...	....	....	....

\* 1891—For 14 months ending June 30th. † 1892—Eleven months ending April 30th.

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18805a. From what source was this table obtained in regard to the number of special taxpayers?—From the report of the Internal Revenue Commissioner of the United States. In 1885, the year after the prohibitive law took effect, the retail licenses were 3,549; eleven months in 1892 show 5,346. Perhaps it will be claimed these are all drug stores? Mr. Spaulding, Secretary of the Iowa States Board of Pharmacists puts the number of drug stores at 1,350. How many of them are of the character of the drug stores I visited in Des Moines, I do not know. Further, the annual report of the State Temperance Alliance, delivered in Des Moines, in March, 1890, stated; "The Alliance has the name and post office addresses of every one who has paid a Government tax for the purpose of selling liquor." More than that, they published a list giving the number for each town and county, making total of 5,867. (Government returns for 1880 only give 4,012.) In this table Clinton is credited with 105, Burlington 170, Dubuque 288, Cedar Rapids 166, Des Moines 202, Council Bluffs 160, Davenport 275, Ottumwa 155, Sioux City 351, etc., etc.

18806a. Have you given in that statement?—Yes.

18807a. Will you hand it to the Secretary?—Yes.

18808a. You say the statement published was for the year 1890?—It was dated March, 1890, and it would be for the year 1889 unless they made the year end in one of the early months of 1890.

18809a. Can you tell us how many United States Inland Revenue certificates appear to have been issued in 1889?—There were 4,112.

18810a. And according to your statement there were in 1889 3,575 retail liquor dealers?—Yes.

18811a. Forty two wholesale liquor dealers?—Yes.

18812a. And 270 retail malt liquor dealers, 268 wholesale malt liquor dealers, 60 brewers and seven rectifiers?—Yes.

18813a. These figures giving a total of 4,112?—Yes.

Iowa has one liquor license to every 456 of the population, as compared to one to every 771 of population in its high license neighbour Nebraska.

*By Judge McDonald:*

18814a. When you use the term liquor licenses, what do you mean by it?—I mean the special taxes paid to the United States Government by persons who wish to sell liquor. The law prohibits the manufacture of liquor within the State. There are not many brewers' licenses issued, and the product for a number of years past has been as follows:—

	Barrels.	No. of Brewery Licenses.
1886 .....	197,372	98
1887 .....	183,464	78
1888 .....	174,339	74
1889 .....	112,470	50
1890 .....	88,266	22
1891 .....	105,943	29
1892 .....	114,923	29

*By the Chairman:*

18815a.—Where did you get these figures?—They were got for me by Mr. Folkes, of Cedar Rapids.

The CHAIRMAN: I desire to get them from official sources.

18816-17a. Can you name any official documents by which we can check these figures?—I will hand the documents to the Secretary.

*By Rev. Dr. McLeod:*

18818a. What documents will they be?—I think the report of the Commissioner of Internal Revenue for the State of Iowa.

18819a. You do not mean the documents from which you got those figures, but the documents from which Mr. Folkes got them?—Yes.

*By the Chairman:*

18820a. Do you mean by the last few words in that paragraph to imply that the manufacture of so large a quantity of beer within the state is evidence that the law is not enforced?—That is an evidence, I should say of the very strongest character.

18821a. How has prohibition affected crime in Iowa?—In 1880 Iowa had 493 prisoners in her penitentiaries and jails per million of population, and 1890 497. The following table shows the number of criminals sent to the reform school, jail and penitentiaries since 1884, when the prohibitory law was passed:—

—	Reform School.	Jail.	Penitentiary.
1884.....	21	152	361
1885.....	18	163	406
1886.....	20	188	330
1887.....	10	261	306
1888.....	13	127	196
1889.....	8	193	318
1890.....	36	191	319
1891.....	14	175	327
1892.....	31	277	438

For the same years I may give the number of convictions for more serious crimes:—

—	Assaults.	Mostly Liquor Cases Nuisance.	Adultery.	Man- slaughter and Murder.	Burglary.	Larceny.
1884.....	167	488	4	22	76	191
1885.....	162	372	6	26	84	241
1886.....	146	607	9	18	66	217
1887.....	180	304	14	29	63	247
1888.....	93	190	3	15	44	143
1889.....	127	137	9	12	96	190
1890.....	175	249	12	17	99	176
1891.....	153	333	11	16	84	181
1892.....	154	367	7	16	153	285

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A feature in connection with the prohibitory law is to be found in the following table, showing for the same years the court expenses for criminal prosecutions in the State :—

	Fines Imposed.	Fines Collected.	Paid District Attorney for Criminal Prosecutions.	Total cost of Prosecution, not including District At- torney's Fees.
	\$	\$	\$	\$
1884 .....	65,543	35,381	26,239	379,580
1885 .....	75,581	30,728	26,232	413,349
1886 .....	117,624	46,362	31,648	421,024
1887 .....	180,557	50,871	41,469	382,877
1888 .....	95,170	39,771	53,518	300,424
1889 .....	136,930	37,008	67,897	399,420
1890 .....	111,866	37,316	56,348	452,294
1891 .....	149,990	48,268	79,391	455,204
1892 .....	175,514	56,568	84,027	575,638
	1,078,778	382,210	466,769	3,779,810

18822a. Referring to the first table, was it made up from the United States census returns?—No, from the State documents.

18823a. Will you hand to the Commission copies of the State documents?—I have not all of them, but I will endeavour to obtain them. There were 84 more convictions in 1884, the first year after license, than in 1892, and yet the cost of prosecutions in 1892 amounted to nearly \$200,000 more than 1884. County Attorneys received \$84,027 in 1892, as against \$28,239 in 1884. I beg to commend these features to those who profess to believe that prohibition would effect a saving in the cost of the administration of justice.

18824a. Did you personally extract the last mentioned figures from the state reports or from the official reports?—Either I or my assistant did so.

18825a. Do the figures for 1892, which you quote, contain payment for the settlement of cases which had been pending for some years?—I imagine they could not to any very large extent, because there has been a gradual increase from \$382,877 in 1887 to \$432,294 in 1890, and \$575,636 in 1892. Of course the returns might overlap to some small extent, but not to any very large proportion.

18826a. Have you knowledge that it did so to a greater extent in 1892 than in previous years?—I have no knowledge that such was the case.

18827a. There would always be some amount carried over, from one year to another?—Yes.

18828a. You do not know that in the case of 1892 there was anything exceptional in the direction I have mentioned?—Nothing appeared in the returns that showed that there was anything exceptional in that year. Let me give one detail. In 1889 Polk County, which includes Des Moines, paid \$92,646 in court costs, of which \$37,755 was justice and police court costs. In the summer of 1890, on the authority of the *Register*, and which authority I am sure has never been denied, in the first six months there was taken from the treasury, for the criminal costs of justices courts in that city alone over \$30,000. Of this amount \$11,000 went to five justices, the remainder to their constables, witnesses, jurors, etc. This was all outside of the ordinary police court where ordinary criminal cases are disposed of, and was mostly in the search and seizure business. This paper raised such a row over the seizing of a bottle of beer at a cost of \$5, and then trying and convicting it at a cost of \$10.00 to \$15, that in measure the practice had to be stopped. It is now largely run at the police court, where "John Doe and Richard Doe" are daily on trial.

*By the Chairman :*

18829a. Have you the papers referred to, from which you got that information?—I saw copies of the paper, and also the editor who wrote the article.

*By Rev. Dr. McLeod :*

18830a. I observe in your draft report you say : “have the peoples of the earth throbbing with anxiety to live under the glorious privileges of prohibition, flocked in countless numbers to settle within the borders of Iowa? A fairer and more fruitful state is not to be found in the Union.” You propose to strike that out?—Yes.

Rev. Dr. McLEOD said it seemed as if the Commissioners were doctoring the testimony.

Judge McDONALD.—Please repeat that statement.

Rev. Dr. McLEOD.—I am unwilling that it should be made to appear that I desire this to be put in or that left out.

Judge McDONALD.—Those are not the words you used.

The CHAIRMAN.—Make the statements in your own words.

Judge McDONALD.—You stated, Dr. McLeod, that the members of the Commission were doctoring the evidence.

Rev. Dr. McLEOD.—I will not be bulldozed by the Commissioners or by anybody else.

Judge McDONALD.—I supposed I was with gentlemen.

Rev. Dr. McLEOD.—I have sometimes thought I was.

The CHAIRMAN.—Will you kindly make your statement, Dr. McLeod, if you wish a record made of it.

Rev. Dr. McLEOD.—I said this : I am unwilling, and I will not have the Chairman or my brother Commissioner make it appear that I desire this to be put in or that to be left out, and I have expressed myself distinctly from the first. But the point is this, that the Commission has suggested generally, and particularly to Mr. Kribs, to leave out this and leave out that, and it is equivalent, if you like, to the Commission helping Mr. Kribs to make a statement. This is what I said earlier, that Mr. Kribs and the Commission together would manage to make a very good statement. That is the point I wish to make plain.

Judge McDONALD.—Rev. Dr. McLeod made a similar statement the other day and withdrew it, but taking that fact with the statement he has made now, I think the withdrawal was made with the mouth but was not from the heart. He used the words that “The Commissioners were doctoring Mr. Kribs’s testimony.”

Rev. Dr. McLEOD.—I withdrew “doctoring,” but I said that the Commission with Mr. Kribs were making a very good statement.

Judge McDONALD.—I wish to say this, and I desire it to go on the record. That if anybody, Commissioner or otherwise, states, so far as I am concerned as a member of the Commission, that there is any attempt to doctor Mr. Kribs’s testimony, or to assist him in making up his statement beyond what is proper evidence to give, such a statement, and I desire to use the strongest term within Parliamentary language, is untrue.

Rev. Dr. McLEOD.—I am perfectly willing that that should go on the record. I want to call attention also to this : If you turn to the first page of the report you will observe it is addressed to Sir Joseph Hickson, and the Members of the Royal Commission on the Liquor Traffic.

Judge McDONALD.—Does it not state what it is?

Rev. Dr. McLEOD.—“Report of Louis P. Kribs in connection with the Canadian Royal Commission on the Liquor Traffic.”

Judge McDONALD.—Which was received?

The CHAIRMAN.—Witness handed it in with the statement that the Commission could do what they liked with it.

Rev. Dr. McLEOD.—Was it not suggested that Mr. Kribs should eliminate what were regarded as superfluous portions?

The CHAIRMAN.—No, not to my knowledge. It was suggested that the Commissioners might refuse to admit such portions as they thought were not evidence.

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Rev. Dr. McLEOD.—Was it not suggested, before we heard it, that superfluous portions should be eliminated?

The CHAIRMAN.—No, excepting as the Commissioners might decide.

Rev. Dr. McLEOD.—If you take all the hearing, you will find that every report made and every thing left out was left out, not of Mr. Kribs's own motion, but at the suggestion of one or other member of the Commission.

The CHAIRMAN.—Before you handed in this statement, Mr. Kribs, was any suggestion made to you by any member of the Commission about eliminating anything from it.

Mr. KRIBS.—None whatever, nor was any member of the Commission solicited about it.

Judge McDONALD.—What was your ground, Dr. McLeod, for asking such a question?

Rev. Dr. McLEOD.—It has been said again and again in one form or another in substance, that Mr. Kribs might eliminate certain portions. My main point is this, that the eliminations are made at the suggestion of the Commission.

Judge McDONALD.—The eliminations have not been made at the suggestion of the Commission, but the Commissioners, finding portions of the statement to be such as might be very well used in a platform statement or in an essay, but not such as were properly evidence that would be given by Mr. Kribs, instead of asking him to eliminate such and such a portion, said, "you shall not put it in."

The CHAIRMAN.—Mr. Kribs's printed report is not officially before the Commission any more than are the prohibition pamphlets we have lying on the table.

Rev. Dr. McLEOD.—I made this point earlier, on Friday, and the objection I have this morning is, that after I had made that pointed objection again and again, the Commissioners, when I raise an objection of some sort, attempt to make it appear that I desire certain things should be put in or left out. These are altogether aside from the point.

The CHAIRMAN.—I do not think it is aside from the point at all, but is entirely to the point. Any Commissioner has a right to object to any evidence given. I have again and again objected to parts of this evidence. If the witness says—I withdraw that and will not put it in—have I suggested that he should withdraw it? Can that be said to be a suggestion from me to withdraw certain portions?

Rev. Dr. McLEOD.—Repeat that again.

The CHAIRMAN.—I take objection to certain sentences which the witness has spoken in giving his evidence. They may be in this book or not, but I have said that it is not evidence and I object to it. Witness has then said: I withdraw it and do not want it in. Is that a suggestion from me as to the kind of evidence to be given?

Rev. Dr. McLEOD.—I think so.

The CHAIRMAN.—I do not know how any man can make such a charge. I objected to Mr. Spence giving certain testimony, and I ruled that it could not be admitted. Was I then suggesting the kind of evidence to be given?

Rev. Dr. McLEOD.—The difference was this: You objected to Mr. Spence giving certain evidence, but he did not act on your suggestion. When you made a like suggestion in Mr. Kribs's case, he assented to it.

The CHAIRMAN.—It is for the Commissioners to say whether I am right or wrong, but the course adopted has been taken in order to arrive more briefly at the result. That has been done again and again, yet you say that the Commissioners are helping Mr. Kribs to give evidence.

Rev. Dr. McLEOD.—To my mind it is practically that.

The CHAIRMAN.—Has it not occurred to you that this is an exceedingly offensive charge to bring against a Member of the Commission.

Rev. Dr. McLEOD.—I regret it exceedingly, but in the discharge of my duty as a Commissioner, I was bound to raise the point, that this witness is being treated in a different way from any other witness who has been before us during these two years.

The CHAIRMAN.—It appears to be simply owing to the fact that Mr. Kribs has prepared a statement before hand. Mr. Spence read from papers again and again. I

objected to certain statements that Mr. Spence was giving as evidence, and I ruled against them and the Commissioners, not all, but the majority of them in most cases supported me. What is to prevent you, Dr. McLeod, if you think any part of Mr. Kribs's statement is wrong, or should be included, asking Mr. Kribs questions upon it? In this way you can get it in evidence. I have not attempted to check you in any way, but when it is said that the Commissioners are helping the witness to give evidence, implying that they want a certain line of testimony from the witness, I repeat that I do not wish anything of the kind. The man who charges me with that is guilty of charging me untruly, and misrepresenting me in a very gross way.

Rev. Dr. McLEOD.—I should be very sorry to misrepresent you, Sir Joseph. I am quite anxious, however, that there should be no mistake about my position in this matter; I am determined there shall be no misunderstanding regarding it.

Judge McDONALD.—The Chairman has made himself clear to my mind, as regards his position, and it is the same as that occupied by myself.

Rev. Dr. McLEOD.—You have made this clear to my mind, Judge McDonald.

Judge McDONALD.—I intended to do so. Here is a statement which Mr. Kribs had in his report in regard to Prince Edward Island. "The Worthy Grand Scribe had probably become so habituated to the intemperate use of language that he could not avoid exaggeration." I declined to allow Mr. Kribs to put that in his testimony. I objected to that as testimony, and so Dr. McLeod says I am helping Mr. Kribs. Instead of doing so I am preventing Mr. Kribs putting that in, as it is not evidence. Again he said, "Does any one imagine for a moment that Mr. Greenway would refrain from passing a prohibitory law if he thought it would be popular, or that his Attorney General would allow the occasion to pass if he thought it would work." This is not testimony, and so I stated that Mr. Kribs must not put it in. I am told that Mr. Kribs wants it in, but I say, no, you shall not use this Commission to get in statements that are not evidence.

The CHAIRMAN.—What would have occurred if this book had not been handed in? Mr. Kribs has been allowed to use the book, which was prepared by him, in giving evidence. If there was anything wrong in that I would not permit him to use it; but, of course, we have permitted any one giving lengthy evidence to refer to documents to assist his memory.

Judge McDONALD.—Both Mr. Kribs and Mr. Spence, Mr. Spence in Toronto, and Mr. Kribs here, in giving testimony, have made statements that might be very well for a gathering, assembled to hear prohibition discussed, for and against, on a public platform, Mr. Spence on one side and Mr. Kribs on the other, but which were not evidence. I have objected to the Commission being used by either of them for that purpose. This document has been offered in evidence by Mr. Kribs, and parts of it have been objected to by me; and Dr. McLeod has said that in doing so I am helping Mr. Kribs to make his testimony. How do you draw that conclusion, Dr. McLeod.

Rev. Dr. McLEOD.—Mr. Kribs prepared this document and addressed it to the Commission as his statement in the matter. If no suggestion had been made to Mr. Kribs, he would, as he expressed his willingness to do, have put it in and made no change in it, and it would have been received as his evidence. Now, he sits down and reads it, and he makes certain alterations and certain changes, pardon me for repeating it, at the suggestion of one or other Commissioner. When a suggestion is made, he does not hesitate to make the change. Then I am justified, am I not, in saying, as I did pleasantly on the first day, that Mr. Kribs, with the assistance of the Commission, will, I think, make out a pretty good statement. Am I not justified in saying that, in that he has eliminated from it portions that did not commend themselves to the Commission. Did they commend themselves to the Commission?

The CHAIRMAN.—If there is going to be any further discussion we had better adjourn.

Judge McDONALD.—I wish this noted. I do not object to the statements made by Mr. Kribs any more than the statements made by any other witness, because the statements themselves do not commend themselves to me as an individual. I object to them because they are not evidence but expressions of opinion; it is not because I object to

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the expressions themselves, but because they are simply opinions and should not be included in the testimony.

The CHAIRMAN.—I object to Dr. McLeod stating that these are suggestions by Commissioners. I am asking questions for the purpose of obtaining information. Dr. McLeod has referred to the statement contained in Mr. Kribs's report. The Commission has not accepted the statement. If it had accepted the statement as evidence, Mr. Kribs might have signed it and put it in and sworn to it. But that course was not taken. Why? Because it was not thought proper by the Commissioners. Another course was adopted, and all Mr. Kribs has been doing is to use the report prepared by himself in giving evidence. If he makes a statement, that statement is before the Commissioners; they can deal with it and they can say they do not think it is evidence and request him to withdraw it, or to point out that it is not that kind of evidence they are seeking. We are desiring to ascertain the facts. If we have any opinion from him that is in the nature of evidence, we have a perfect right to interrogate him in regard to it. Has anything more than that been done in this particular case. I think not; I myself am clear about it. If we are going to have further discussion, I think the Commission had better adjourn and discuss the matter among themselves.

Rev. Dr. McLEOD.—I have nothing further to say.

The CHAIRMAN.—I wish to protest against the charge made against me of assisting a witness to make evidence.

Judge McDONALD.—It is not only that it has been made, but it has been constantly reiterated.

The CHAIRMAN.—I say that any one who charges me in that way in this matter is guilty of a very grievous accusation, without having any foundation whatever for it. I cannot emphasize this too strongly.

Rev. Dr. McLEOD.—While I should very much regret to make an accusation, either directly or by implication against the Chairman or any other Commissioner, from my view of the matter and my feelings in regard to it, I cannot withdraw the remarks I have made.

Mr. KRIBS.—The following table of comparison with surrounding states, all of which have licenses, gives the facts of the case :—

	Population 1870.	Population 1880.	Population 1890.
Iowa.....	1,194,020	1,624,615	1,911,896
Illinois.....	2,539,891	3,077,871	3,826,357
Wisconsin.....	1,054,670	1,315,497	1,686,390
Minnesota.....	439,706	780,773	1,301,826
Nebraska.....	122,993	452,402	1,058,910
Missouri.....	1,721,295	2,168,380	2,679,184

  

	Gain 1870 to 1880.	Gain 1880 to 1890.	Per Cent Gain 1870 to 1880.	Per Cent Gain 1880 to 1890.
Iowa.....	430,595	287,271	36 06	17 68
Illinois.....	537,980	748,480	21 18	24 32
Wisconsin.....	260,827	371,383	24 73	28 23
Minnesota.....	341,067	521,053	77 57	66 74
Nebraska.....	329,409	606,508	267 82	134 06
Missouri.....	447,085	570,804	25 97	23 55

Can anybody explain the decreased immigration into Iowa and the increased immigration into all those neighbouring states, north, south, east and west, and leave out the prohibitive law as the factor?



*By the Chairman :*

18831a. To whom are you putting that inquiry?—It is not a question, I do not mean it as asked. I desire to add these words, "Gov. Bois has had three reports prepared on the subject of the insane and state asylums." If the Commissioners have not already received these reports, I think they should do so.

*By Judge McDonald :*

18832a. Have you copies of them?—I have one of them, but I think there are three in all and they are valuable reports. Twenty-seven counties actually decreased between 1880 and 1890. Illinois increased three times as much as Iowa. Wisconsin went ahead of her by nearly 100,000, Minnesota's increase was about double that of Iowa, Missouri's more than double, while over 500,000 people travelled across prohibition Iowa to get into licensed Nebraska.

Again take the statistics as to poverty in Iowa. In 1880 the proportion was 717 paupers in almshouses per million of population, while in 1890 the percentage had increased to 840. In other words, in 1880, with a population of 1,624,015, Iowa had 1,165 persons in her almshouses, and in 1890, with a population of 1,911,896, she had 1,621 paupers. In 1880, the ratio was one pauper to every 1,394 inhabitants, while in 1890, after a term of prohibition, there was one pauper to every 1,178 inhabitants.

Now take the figures as to insanity. The superintendents' reports of the state asylums show, as the average number of patients in two selected years, as follows (year ending 30th June in each case):—

	1883.	1891.
Mount Pleasant .....	518	793
Independence .....	552	810
Clarindo, not open in 1883.....	....	309
	<hr/> 1,070	<hr/> 1,912

The statement is made in connection with the above: "In addition to the number of insane confined in the hospitals there were, on June 30th, 1891, 737 public insane cared for in the various counties, and 66 private insane persons. Forty-nine of the counties had county asylums where incurables were confined. Practically all, if not all, of the county asylums have been built since 1883 in order to relieve the state asylums of the incurables. The total insane in the state hospitals at the end of the last biennial period was 1,958, and the total in the state 2,761. Of course I do not charge this enormous increase in insanity to prohibition, but as the prohibitionists have raised that issue, they are welcome to the conclusions to be derived therefrom.

The investigation held by the Commission in Maine was so thorough, especially with regard to all statistical information, that I shall add nothing to the record except my own personal experience. Going down from Montreal the train stops for dinner at some place in Vermont, I forget the name. We were in a prohibition state, but liquor was served at the table, just as it would be anywhere where there was a license. Later on at Gorham, to test the law, some bottles of beer were purchased and brought aboard the train in the few minutes of stop there. There was no concealment whatever.

*By the Chairman :*

18833a. By what route did you go?—By the Grand Trunk.

18834a. Was it at Island Pond you stopped for dinner?—Yes, that was the place, I had forgotten the name.

The effect of the prohibitive law in Portland is bad, bad in every respect. I cannot honestly find one redeeming feature about the whole business. The law has been pretty persistently enforced in the city for forty years, a generation or two has grown up under it, and what are the results?—The most rank hypocrisy permeates every grade of society except the lowest, which apparently has fallen beneath hypocrisy.

18835a. What opportunity had you of making yourself acquainted with the condition of the morals of the people of Portland?—I had opportunity from remaining there some time and making a particular study of the question.

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18836a. Do you attribute the state of things you describe to the prohibitive law?—Undoubtedly, the law is made the plaything of politics, degrading alike the law and the politicians. Official corruption is something amazing to a Canadian. Drinking places fairly throng certain parts of the city, drinking clubs are numerous. The city agency is nothing but a gigantic saloon, drink, often of the most atrocious character is sold indiscriminately by men, women and children, and drunkenness the most debasing is prevalent and continuous. I have no hesitation in saying that in Portland, even under the strict rule of Sheriff Cram, money can buy immunity from the law every time, and in saying this I do not wish for one moment to reflect upon Sheriff Cram who, I judge, tried his best to enforce the law. Perhaps the most amazing thing to me was to find reputable citizens appear before the Commission and, "profess" ignorance of what the slightest investigation must have revealed to them.

18837a. When you say perhaps, do you imply any doubt?—I saw many amusing things, and in my opinion perhaps this was the most amusing. They are a rather higher class who would go to the State Agency. I recollect hearing a witness testify that no liquor, or practically no liquor was sold in Portland drug stores. I got right up, walked across the street to the nearest drug store, went in, purchased a bottle of whisky, no questions asked, the men even offered to send it to the hotel for me, and I was back within, I should say, ten minutes at the outside. Remember, I was a perfect stranger, had never been in the place, or seen the man before, and asked for the whisky just as I would have, had it been an ordinary liquor store. My experience and information is that practically all of the drug stores sell liquor to a greater or less extent, but only to a certain class. They keep good liquors, and their customers are those who do not care to go to the city agency. They are a large class. Again, it was stated that very few illicit places for sale now existed. I went out and within two blocks and a half on one of the principal streets, I entered seven places where they sold me beer. Those places were fruit stores, tobacco stores, and places where they ostensibly sold soft drinks and candies, etc. I was not gone an hour, was a perfect stranger, had no directions, and did not have to use any great circumlocution in getting the beer. I mentioned these two instances simply to show how ignorant even the best of people may be. Afterwards I made a more thorough investigation; without going into details I may say that the number of liquor sellers in Portland cannot be estimated. All of the hotels sell, I believe, with one exception, and even at that you have only to step to the door and tell the hack man standing there to bring you a bottle and it is furnished you in a few minutes. It was estimated for me that there would be at least one hundred places selling more or less regularly, but this does not include an army of boot-leggers, kitchen bars, saloons under the steps, stable saloons, backyard saloons, establishments consisting of bottles kept in a barrel, box or dog-house in the backyard, and a hundred and one methods of evading the law constantly practiced; nor does it take into consideration the enormous quantity brought in day by day for private houses and home consumption.

18838a. What was the character of the beer?—Lager beer of pretty poor quality.

18839a. Are there only one or two kinds of beer that can be sold legally under the law?—I do not know whether they call those liquors beer or not; one is called "uno," and several other names are given to them.

*By Judge McDonald:*

18839½a. Made up names?—Yes; but this was not that stuff.

*By Rev. Dr. McLeod:*

18840a. Do you mean to say that you drank seven times within two blocks?—Yes; and pretty bad beer it was.

*By Judge McDonald:*

18841a. You were desirous to ascertain whether the law was carried out?—Yes.

18842a. Was this beer sold contrary to the law?—Undoubtedly.

*By Rev. Dr. McLeod :*

18843a. All this was done within one hour I understand ?—Yes.

18844a. Did you use any circumlocution to get it ?—Slightly so. I was surprised that I had to use so little, I being a perfect stranger, walking on the streets in broad daylight. There are many places selling liquor in Portland, where no circumlocution is required, but they are not on main streets.

*By Judge McDonald :*

18845a. Are there places where beer of good quality is sold also ?—Yes ; many of them.

18846a. How is liquor brought in ?—By rail and by boat, from Boston, usually, and also from Portsmouth.

*By the Chairman :*

18847a. Is it also brought in largely by express companies ?—Yes ; to a large extent, I understand.

*By Judge McDonald :*

18848a. The law does not prevent them ?—No ; that is not illegal. Accompanied by a resident I went through the lower part of the town as well as the more select neighbourhood. In this lower part, some of the streets seemed to be at night largely devoted to the sale of liquor, and it is in this section that the sheriff's officers do most of their work. But the frequency with which they are outwitted is best shown by the record of the number of search warrants taken out as compared with the number of seizures made.

18849a. Have you figures showing the number of search warrants ?—Yes. Why all these places should exist, when each person could legally keep a private stock for his own use, is to me, I frankly confess, utterly incomprehensible ; but that they do exist and in large numbers I had the evidence of my own eyes.

The liquor agency is condemned as being loosely run. That its sales are enormous there is no doubt, but that this is an unmixed evil is a question. I spent several hours there at different times watching the character of the trade. The people who bought liquor there would have it anyway. If they did not get good liquor there, they would very probably have got bad liquor elsewhere. I examined thoroughly into the methods of the agency, saw the invoices and prices of sale and this much at least is certain, that the people who buy from the agency get good liquor at very reasonable prices. I have a suspicion that some of that good liquor is afterwards "fixed up" for use down town, and that a little of the "good" thing is made to go a very long way.

*By the Chairman :*

18850a. On what information do you base this statement ?—On the character of the people who purchased. I was informed so ; and I have no doubt whatever on the matter, and I myself also saw people purchase.

18851a. What was the largest quantity you saw sold at the agency ?—I recollect an order for six bottles of beer, two bottles of Scotch whisky, a bottle of gin. I do not recollect whether that was the largest order or not.

18852a. Was it all for medicinal purposes ?—Yes.

*By Judge McDonald :*

18853a. Were all the purchasers men ?—Men and women, I could hardly say children, yet there was quite a number of young people purchasing. Down in the lower part of the town, very frequently children are sent to obtain liquor. You will see little children sitting on the door-step. They know customers, and notify the people inside of their arrival, and ascertain whether they should be allowed to go in or not.

*By the Chairman :*

18854a. Referring again to the agency. Did you see children there ?—Yes, I judged them to be minors.

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18855a. Might they not have been carrying written orders from their parents?  
—Yes.

18856a. Would not the agent render himself liable to punishment if he sold to a child?—I understand so.

18857a. Or to any one under age?—Yes. I could not say that he sold to minors, but I saw young children there; they might have had large orders from their parents. A common drink down town, however, is "Portland Split," alcohol imported and diluted to suit the taste. This beverage has a tendency to drive a man to madness, and frequently kills him. Deaths occurred while we were there. Drunkenness is very prevalent in Portland, but the arrests for drunkenness are no criterion. The police do not arrest if they can conveniently avoid it. We have evidence to that effect, and what I saw would confirm it. I never saw such beastly, disgraceful exhibitions of drunkenness in any city on Sunday as I saw in Portland. Before noon, for attacking the police, drunken men were being hand-cuffed and carted off into the patrol wagon and in the late afternoon and evening (I went out to Orchard Beach at noon) plenty of drunks around, fights in the park, &c.; no policemen. Next morning saw fourteen of these men sentenced, and I don't believe they represented one in twenty of the visible drunks. Neither morning's paper mentioned the matter; the evening paper simply said so many drunks so disposed of. I take it that this must have been the regular thing. I have spoken about official corruption. While we were in Portland, seizures were made on liquor in two hotels. The liquor was seized and taken to the police station. Neither party was fined.

*By Rev. Dr. McLeod :*

18858a. How many deaths occurred while you were there?—Two, one just as I got there, and one while I was in the town. I was in Portland at the time, but did not see the man die.

*By the Chairman :*

18859a. In regard to the seizures you say that you believe neither party was fined. What authority have you for that statement?—The authority of one of the parties, and the statement was made in the newspaper, that the case had been dismissed. The Sheriff's officers made a descent upon a hotel in Maine with a search and seizure warrant. There was a bar running in the hotel. Liquor of any kind was served in the rooms and at the table so that there must have been a large reserve stock somewhere within the place. At the time, I, with another gentleman, was at dinner in the dining-room, and we were having a pint of Bass' ale with our dinner meal. Perhaps a dozen or twenty others were having liquors at the same time with their meals. The sheriff's officers searched the house and found nothing, and returned the warrant. I have reason to believe that \$75.00 was what it cost upon that occasion. The proprietor of one of the leading hotels outside Portland told me it cost him \$150 each to three officers to run an open bar during the season. I saw the open bar running. I myself have seen sheriff's officers drinking at the bar with other people, and have no doubt of the truth of what I was told; that everywhere except Bangor the officers have to be tipped.

Augusta, the capital of the state, is a very pretty place. The Augusta House has a bar that is open all through the session of the Legislature, day and night, and never closed. I have this on the authority of the proprietor, who introduced me to the place. In the summer time the bar is only open when it is needed, as the Augusta House, being somewhat away from the centre of the town, is not a place of general resort, except when the Legislature is in session. In the down town hotels the bars run all the year round. I was in two of them. A peculiarity here is that restaurants are not interfered with if they only sell beer, consequently half a dozen restaurants along the main streets have bars with beer pumps and all the attachments for serving beer, but supply nothing else. In one of them I asked for spirits, the proprietor obligingly came with me to the door and pointed out the drug store at which I could get what I wanted. I counted thirteen of these restaurants in the town during the course of an hour's walk. Drug stores do the general liquor trade outside the hotel bars, but there is a great deal of private importation, so I was informed.

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*By the Chairman :*

18860a. Do you know what kind of beer was served ?—Lager beer. The beer is principally brought from Boston in barrels.

18861a. You think they do not get a supply from Portsmouth ?—I understand that it is principally Boston beer they use.

At Bangor we had a return to the Iowa system, only with somewhat better regulations. The saloons are wide open, but are required to close on Sunday. As a rule I think they do so, though the bar in the hotel at which I stopped ran on Sunday the same as any other day. The saloons are very numerous in this town. I counted five in succession on one street, and fourteen in a block and a half. There is of course no pretense of concealment, from the highest to the lowest. Out of curiosity I visited the City agency. The old gentleman in charge sold me a bottle of liquor without going through the formality of getting any application of any kind, and in conversation complained bitterly that the saloons were destroying his trade, although he held that he had still the best class of customers in consequence of selling the best quality of liquor.

18862a. Is there no police regulation in regard to liquor establishments in Bangor, which came to your knowledge while you were there ?—Yes.

18863a. What is it ?—The regulation is, that if the sellers observe certain police regulations, and submit to a fine once or twice a year, they are not interfered with.

18864a. Are they required to close at a certain hour ?—Yes, at ten o'clock.

18865a. If they comply with this unwritten law do the police interfere with them ?—No, so long as their houses are kept in an orderly manner, the police do not interfere with them.

A place visited by the Commission, in search of a town wherein the Maine law was strictly enforced, was Pittsfield. It is a little place with one hotel. You either staid at that hotel, or you lay outside. The hotel sells liquors to guests, and to residents of the better class, and the temperance people there, according to the landlord, know it. He said he would close the hotel if he could not sell to his guests, and as a matter of fact, the hotel was closed for a time before he took hold of it. The gentleman served my party immediately after our arrival with whisky and apollinaris, and with Nuremberger beer imported from Germany, all off the ice. It will be observed that a poor class of liquor was not kept here. I have reason to believe that there were two other places selling liquor in that village at the time we were there.

I missed the visit to Winthrop, having gone back to Portland for the fourth of July to study that city upon a holiday, and also for the purpose of obtaining some additional evidence with regard to Old Orchard Beach. I got back to Portland late at night preceding the fourth, and I may say that the drunkenness in that city the following day exceeded anything I have ever seen of the kind in either Canada or the United States.

What caused me more particularly to visit the summering place of Orchard Beach, was the statement of the Hon. Neal Dow, that no liquors were sold there. On the occasion of my first visit on the train many of the passengers had bottles, and the newsboy was hawking about lewd illustrated papers that were prohibited in Canada. The season was not then practically open, but I put up at a hotel which had a bar and was furnishing liquor at the dinner table. Visiting another hotel I was also shown the bar. On the occasion of the 4th July, in four or five hotels which I went into, all the bars were wide open. Places along the street were selling openly. At the race track, there was a bar as long as a house open to everybody, and crowded with people drinking. A pool-room was running in connection. Returning to Portland that evening, the drunkenness had increased there during the day and was something amazing. They were selling beer even in the Grand Trunk station so freely that nobody passing the door could fail to see it. I never saw as many drunken men upon a train in my life as I saw on that train that took me to Lewiston that night, and many of them were offensively drunk.

Lewiston can be dismissed in a few words. There are about 300 places selling liquor ; I saw lots of them myself. There is no trouble whatever about getting it.

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*By Rev. Dr. McLeod :*

18866a. How many were in your party ?—I think there were three of us.

*By the Chairman :*

18867a. Where did you get the estimate of 300 ?—I hardly know, I think it was a general estimate. I asked how many places there were and the talk was general, 300. I think the police officials to whom I spoke mentioned 300. It was the general idea that prevailed.

*By Judge McDonald :*

18868a. What is the population of that town ?—22,000.

At Bridgeford I went to a drug store and purchased a bottle of liquor without being asked any questions. I did the same in the City Agency.

This ended my investigation in Maine, so far as actual experience went ; but I may mention that on the road to Boston, at the place in New Hampshire where the train stopped for lunch, there was a large dining-room in the station, and the bar ran all along one end of it. Apparently in that place the prohibitive law of New Hampshire is not better observed than the prohibitive law in Maine.

*By Rev. Dr. McLeod :*

18869a. What was that place in New Hampshire ?—I do not remember the name.

18870a. You have spoken about obtaining liquor. You know that you were a party to the violation of the law ?—Yes, it was my business to ascertain how the law was observed, and I could not do that but by actual experience.

While we hear a great deal about Maine, Kansas and Iowa, and considerable less about Vermont and New Hampshire, where the law seems to be practically a dead letter, and still less about the Dakotas, we heard little about those other states which have tried prohibition and rejected it.

Michigan enacted a constitutional prohibitory law in 1850, and in 1853 enacted another law which was declared unconstitutional in 1854, re-enacted prohibition in 1855, and it ran for twenty years. Here was a western state that gave prohibition a full, fair trial, had a quarter of a century of it, in fact, made every effort to enforce the law, and what was the result ? Hon. George W. Moore, in an address before the Detroit Board of Trade, said :—

"The prohibition was as absolute as it could be made. The ingenuity of the ablest lawyers, preachers, business men, legislators and women was exhausted in devising penalties and means of enforcing them. Liquors were declared no consideration for a debt, and any sale of other goods where liquors were part of the trade, was declared unlawful, and the debt could not be collected ; it was declared that every person injured by such sales should be able to sue the seller and recover damages ; that owners of the buildings should be also liable ; that any lease of premises where liquor was sold could be declared forfeited ; that every act of selling should be a separate offence, punishable with fines not exceeding \$100, and imprisonment up to six months, until the liability of every liquor dealer in the state would aggregate perhaps hundreds of thousands of dollars and imprisonment for many lifetimes. Common law rules of evidence were changed to make convictions easier, and the simple solicitation of any intemperate person to drink subjected the inviter to the penalties provided for the seller."

It all went for naught. The law soon fell into contempt, produced the greatest of evils ; saloons were run openly in defiance of the law, and were upheld by public opinion. Two years before the repeal there were 9,500 saloons in the state, and the condition of affairs became intolerable. Then the temperate and law-abiding people banded together against the extreme prohibitionists, and the groggery keepers, and the obnoxious law was swept away, being replaced by a moderate license law. A writer says : "Within a short time 2,000 of the lowest groggeries in the state were swept away, offences against public peace and order decreased to a marked degree, and the liquor interest, which for 25 years had paid no taxes to the state, was made to bear its fair share of the public burdens." The following table, giving the number of liquor dealers in the last five years of prohibition, and the first five years under license, would seem to bear out this assertion in part, and speaks for itself :—

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		Liquor Dealers.
1870.....	Prohibition .....	5,020
1871.....	do .....	5,095
1872.....	do .....	5,846
1873.....	do .....	8,488
1874.....	do .....	6,392
1875.....	License.....	5,680
1876.....	do .....	4,828
1877.....	do .....	4,384
1878.....	do .....	4,505
1879.....	do .....	4,373

*By the Chairman :*

18871a. Who was the writer ?—This was from a pamphlet prepared by a lawyer ; the pamphlet contained the laws of the state.

18872a. Are the figures to which you refer taken from the Internal Revenue returns of the United States ?—I got them from the writer, I did not take them from the Internal Revenue reports. They are the figures of the tax receipt.

Michigan is now under a high license law which has still further decreased the number notwithstanding that the population has increased since 1870 over 66 per cent. A prohibition amendment was submitted in 1887 and was defeated : for 178,636, against 184,281 majority 5,645 ; total 362,917, vote at the nearest important election, 380,855, therefore, did not vote 17,936. Michigan has a local option feature for counties. In 1890 (annual report Auditor General) only four counties under local option. Of these counties, Isle Royale is the Island of that name in Lake Superior, and has a total population of 135 who heroically deprive themselves of the open saloon ; Manitou County is a group of islands in Lake Michigan with a total population of 860. Van Buren and Kalkaska the other two, have neither of them a town of two thousand people. Local option apparently does not work in Michigan any better than Scott Act in Ontario.

*By Rev. Dr. McLeod :*

18873a. Do you judge from that vote that prohibition sentiment was quite strong in Michigan ?—I judge from the vote that there is a strong prohibition feeling in Michigan.

18874a. Notwithstanding the presence of high license ?—Yes, about 25 years of prohibition has deterred them from making another attempt. I desire to add that I am informed that Hillsdale County has since adopted local option, but I have not an official report.

Massachusetts, with its great institutions of learning, its great manufacturing industries, its great population, its great lawyers, doctors, professors and engineers, has tried prohibition, returned to license, and is determined to stay there. In 1852 a law was passed which was declared unconstitutional, and a general prohibitory law enacted in 1855. This lasted until 1868 when it was repealed, and restored the following year. In 1870 a "free beer" amendment was carried, which was repealed in 1873. The election in 1874 was decisive against prohibition, and the law was finally repealed in 1875, local option being added in 1881. In 1889 a vote was taken on a constitutional amendment which was overwhelmingly defeated, the vote standing : 85,242, against 131,062 ; majority against 45,820 ; total vote polled, 216,304 ; at nearest election 344,517.

In this state was tried the experiment of an independent state police so often talked about to enforce the law, but with no success. They were appointed in 1865 but the opposition to the law developed to such an extent that in 1867 a joint committee of the two Houses of the State Legislature was appointed to inquire into the whole subject. The committee reported that the number of arrests for drunkenness in Boston had increased under prohibition from 6,983 in 1854 to 15,542 in 1866, and they concluded as follows : "That the time had come when this prohibitory law unsound in theory, inconsistent with the traditional rights and liberties of the people, tempting to fraud and protecting those who committed it, in many communities not enforced because of thorough disbelief in its principles in other communities when enforced, driving the liquor traffic

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into secret places, and so increasing rather than diminishing the amount of drunkenness and other crime—should be so far modified as that the rights of the citizens will be respected, while at the same time the general peace and order of the community will be promoted.” They have a detailed license law. Eight members signed this; four signed a minority report in favour of prohibition.

When prohibition was before the people in 1889, six out of eight college presidents in the state spoke against it, 88 clergymen signed a manifesto in a Boston paper against it, and 127 physicians of Boston signed a published protest. At the Presidential elections in this state, votes were cast for the prohibition candidate as follows: (Massachusetts casts from 350,000 to 400,000 votes).

1884 .....	10,000
1888 .....	8,700
1892 .....	7,500

At the elections for Governor, the prohibition votes cast were :

1885 .....	4,714
1886 .....	8,251
1887 .....	10,945
1888 .....	9,374
1889 .....	15,108
1890 .....	13,554
1891 .....	8,968
1892 .....	7,067

This is the record of prohibition in the great commonwealth of Massachusetts.

The little State of Rhode Island has made three trials of prohibition and three times given it up, finally by a decisive majority. The first prohibitory law was passed in 1852, and continued until 1863, the second was passed in 1874 and lived one year. The third was a constitutional amendment submitted to the people in 1886 with this result: for 15,113, against 9,230, majority 5,883. In 1889 another vote was taken with this result: for 9,956, against 28,315, majority against prohibition 10,359. The history of the three years of prohibition, resulting in liquor being sold in an immensely greater number of places than under license, is too long to be related here; but I beg to lay before the Commission the report of the proceedings of the tenth annual meeting of the Charity Organization Society of the city of Newport in this state, published in 1888.

Making reference to other states, in as short space as possible.

Delaware passed a prohibitive law in 1848, which was declared unconstitutional and has never been re-enacted.

Minnesota tried a prohibitory law as far back as 1852, but soon gave it up, and is now a steadfast high licensed state.

New York—In 1853 the legislature passed a prohibitory law which Governor Seymour vetoed. In 1853 another law was passed, but declared unconstitutional. Not tried since.

Connecticut passed a prohibitory law in 1853, and kept it in operation until 1874—voted on and defeated, a constitutional amendment in 1889.

Indiana passed a prohibitory law in 1853; courts equally divided on its constitutionality; became a dead letter; nothing since.

Nebraska and Illinois passed prohibitive laws in 1855, I do not know how long they were kept in operation, but both have been replaced by license laws, and both states have since defeated constitutional amendments, Illinois 1880, Nebraska 1890.

Pennsylvania, Washington, Oregon, Tennessee and Texas defeated prohibitive amendments in recent years.

Ohio carried prohibition in 1883, but it is a dead letter.

*By Judge McDonald :*

18875a. In regard to Nebraska, do you remember if, at the same time the constitutional amendment was voted on, there was a proposition voted on in favour of license—Yes.



18876a. They were both voted down, prohibition and high license?—Yes.

18877a. Then there is a statutory license law in force now?—Yes, the people refusing to incorporate in the constitution any reference either to prohibition or license. The votes on the prohibitory amendment to the state constitution show that seven states in the ten years adopted a prohibitive amendment with combined majorities of 179,817, while twelve states rejected the same with 486,033 combined majority. Of the seven, Ohio, with its 82,214 majority must be taken out of the ranks, leaving the actual working combined majority less than 100,000 in favour of prohibition in six states. If Rhode Island, which has voted both ways, but with much the larger majority against, be taken out, the total figure is reduced to less than 90,000.

The population of the states that have voted in favour of prohibition is 17,801,536. Not including Ohio and Rhode Island with a combined population of 4,017,822.

Twenty-seven states (not including the Territories) have never, at least not in modern times, seen fit to vote on the subject at all. This combined population is 37,945,485.

Prohibition is ostensibly in force over four and a half millions of the 65 or seventy millions population of the United States. It has been tried and rejected by about four times that population.

In the last four elections for the presidency of the United States the prohibitionists have had candidates in the field. The strength they have developed is interesting. This table gives the result :—(*Tribune Almanac*).

	Total Vote.	Prohibition Vote.
1880.....	9,218,251	10,305
1884.....	10,052,706	150,369
1888.....	11,373,406	249,665
1892.....	12,041,298	269,299

The Commission adjourned.

LOUIS P. KRIES.

MONTREAL, 8th March, 1894.

The Commission met at 10 a.m.

*Present :*

SIR JOSEPH HICKSON, Chairman, presiding,

JUDGE McDONALD,

REV. DR. MCLEOD.

LOUIS P. KRIBS, of Toronto, Journalist, continued his evidence. He said ;—

We now come to Question 4 "The effect that the enactment of a prohibitory liquor law in Canada would have in respect of :

- (a) Social conditions.
- (b) Agricultural business.
- (c) Industrial and commercial interests.
- (d) Revenue requirements *re* municipalities, provinces and the Dominion.
- (e) Its capability of efficient enforcement.

First, as regards social conditions. Prince Edward Island, off out by herself in the Gulf of St. Lawrence, under total prohibition for the island, increased her convictions for breaches of the liquor laws from four in 1880 to 90 in 1891, and increased the committals for drunkenness from 260 in 1890 to 311 in 1891. Nova Scotia, with prohibition everywhere outside the city of Halifax, but with open sale in many of the counties, increased the convictions for breach of the liquor law from fifty-five in 1880 to 118 in 1891, and decreased drunkenness from 677 to 635. New Brunswick, the banner prohibition province, increased the conviction for breach of the liquor laws, from 36 in 1880 to 245 in 1891, and the convictions for drunkenness from 850 to 1,628 in the same period.

*By the Chairman :*

18878a. Under the head of the total vote, is there included all votes cast for all the candidates for office of president?—Yes.

*By Rev. Dr. McLeod :*

18879a. Why is New Brunswick called by you the banner province?—In the west, the people always point to New Brunswick as being the first province to adopt the Scott Act, the leading province in prohibition work.

18880a. Has not Nova Scotia more prohibited territory than New Brunswick?—Yes.

18881a. Prince Edward Island?—Yes. Quebec which is claimed to be from one-third to one-half under prohibition, had 339 convictions for breach of the liquor law in 1880, and 434 in 1891. Drunkenness 1,348 in 1880 and 4,199 in 1891. Now take Ontario, which is all under license law. In this province the convictions for breach of the liquor law were 1,089 in 1880, and 1,220 in 1891, but in 1886 under the Scott Act they were 1646, in 1887 under the Scott Act 2,667, and in 1888 under the Scott Act 3,108 dropping to 1,982 in 1889 when the Scott Act went out, and to 1,131 the following year. Committals for drunkenness in Ontario were 5,282 in 1880 and decreased to 4,973 in 1891, but in the Scott Act years the figures were: 1884, 4,694; 1885, 5,868; 1886, 5,453; 1887, 6,200; 1888, 6,633; 1889, 7,059. Manitoba convictions for breach of the liquor license laws decreased from 62 in 1880 to 11 in 1891, and convictions for drunkenness from 525 in 1881 to 518 in 1891.

*By the Chairman :*

18882a. Is one-third or one-half of the Province of Quebec under local prohibitive laws?—I did not enter the exact proportion, I have seen both one-third and one-half claimed.

18883a. By whom?—I hardly recollect where I have heard the claim made, I have seen it in print both ways. I know there is a large number of municipalities that do not grant licenses. The number has been claimed to be one-third or one-half. I do not know exactly myself as to the extent of territory.

18884a. Would it be one-third or one-half of the area or the population?—Area was evidently meant. Now Prince Edward Island increased in population in the last census decade 0·18 per cent; Nova Scotia 2·25 per cent. New Brunswick 0·02 per cent; Quebec, 9·53 per cent; Ontario, 9·65 per cent; Manitoba, 148·06 per cent.

I wish just for a moment to glance at the industrial side of the question in a general way. The following table shows the position of the provinces towards each other in respect to industrial establishments and employees for 1891 (Table will be found in Census Bulletin, No. 8, p. 6.)

Prince Edward Island had 5,767 employees in 1881 and 7,906 in 1891.

Manitoba has increased from 1,921, in 1881 to 4,375 in 1891, an increase of nearly 127 per cent.

The North-west Territories returned 83 employees in industrial establishments in 1881 and 1,081 in 1891.

British Columbia had 2,871 in 1881, and 11,473 in 1891, an increase of nearly 300 per cent.

Ontario increased the number of her industrial establishments from 8,970 and her employees by 47,027. New Brunswick increased the first by 2,302 and her industrial population by only 6,687. Prince Edward Island made the gain in the ten years of 2,139 to her industrial population. By comparing the increase in Manitoba and in British Columbia with any prohibition province, section or state in America it will be found that the advantage by a long way is on the side of the Canadian license provinces.

Kansas increased in population from 1880 to 1890, 43 per cent. Iowa in the same time increased 17 per cent.

Manitoba without a tithe of the advantages of the older states, increased 148 per cent.

Maine only increased 2 per cent.

Kansas had more prisoners in 1880 than in 1890 (given elsewhere). Ontario had 11,300 of a jail population in 1880, and only 9,011 in 1892.

At the State Reform School, Topeka, Kansas, the inmates numbered (June 30th, 1890), 186; June 30th, 1892, 220—a great increase. Ontario's Reformatory—September 30th, 1890, 201; September 30th, 1892, 168—a most gratifying decrease (all under 16 years go to both of these).

In Iowa, in 1892, the liquor fines collected amounted to \$56,568; in Ontario, \$23,316. In Iowa the cost of prosecution was \$650,665; in Ontario, \$75,517, and this latter includes salary and expenses of Inspector and expenses of License Commissioners.

It may not always be competent to compare one province with another or one state with another, or a province with a state; but if we take a province such as Ontario, where statistics are carefully prepared, and compare results year by year over a long term of years we must arrive at a fairly accurate conclusion as to the effects and possibilities of the laws in operation. In taking up the record for Ontario, I beg first to call attention to the report of the Inspector of Prisons for the year 1892. (Pp. 6 and 7.)

Coming to the statistics, these in each case show most gratifying results since the adoption of the Crooks Act in 1876. I take it that no more accurate test can be had than the committals for drunkenness year by year. I have a table showing the number of licenses of all kinds granted year by year since 1876, and the committals to jail for drunkenness in each of these years. This table reads:—

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Year.	No. of Licenses of all Kinds.	Committed to Prison for Drunkenness.
1876-77 .....	3,936	4,032
1877-78 .....	3,754	3,785
1878-79 .....	3,760	3,581
1879-80 .....	4,068	3,795
1880-81 .....	4,195	3,328
1881-82 .....	4,760	3,497
1882-83 .....	4,903	3,895
1883-84 .....	4,949	4,650
1884-85 .....	4,516	3,696
1885-86 .....	3,608	3,555*
1886-87 .....	2,326	4,130*
1887-88 .....	2,290	4,551*
1888-89 .....	2,935	4,797*
1889-90 .....	4,246	4,573
1890-91 .....	4,256	3,614
1891-92 .....	4,189	2,736

\*Scott Act years.

It will be observed that while the number of licenses has increased with the growth of population, the committals for drunkenness have decreased over one-third, a most gratifying circumstance. Lest it may be said that under the prohibitive system still better results might have been obtained, I wish to point out that during this period we had the Scott Act, for a time, over three-fourths of the province, and that during that prohibitive period the committals for drunkenness largely decreased. Allow me to point out as strongly as possible that under the license the committals for drunkenness were largely below the number of licenses issued—that is, there was nothing like the proportion of one committal for one license, but that under the Scott Act the committals for drunkenness quickly exceeded the number of licenses issued, that while the one went down the other went up, until in 1887-88 there were twice as many committals as there were licenses, and in the following year, the last year of the Scott Act, the committals for drunkenness reached the highest point they have ever attained in Ontario. Coming to general crime the case is equally strong. Comparisons of crime in Ontario with other places need not be instituted here, but simply Ontario's own record. The official return gives the total commitments to jail in the Province of Ontario from the years 1876 to 1892 inclusive, and that includes prisoners of all ages and sexes. Here again I would call attention to the break in the good progress being made during the Scott Act period. From 1877, the year after the Crook's Act came into force, there was a steady diminution in crime until the prohibition law came into force. Then crime sprang up to greater proportions than ever, and so remained until the law was repealed. It has taken from that time until this to get back to the condition of affairs that existed in 1881. Coming to the Central Prison, where the more serious offenders are incarcerated, what is found? The returns show a most gratifying decrease in committals; yet, here again, the greatest number of committals the Central Prison has ever known in all its history was in the celebrated Scott Act year of 1887, when every difficulty in the way of the Scott Act had been settled. Population of Ontario, 1871, 1,620,851; 1891, 2,112,989; increase in population in that time, 492,138, an increase of nearly one-fourth. The daily average in custody for the year 1892 was 321. Nearly a hundred less in 1892 than in 1882, considerably over a third less. The figures of the Reformatory at Penetanguishene are such as must gratify everyone. Upon that I need offer no comment. Another branch of the subject I do wish to touch upon. Prohibition is to make everybody happy, fill everybody's pocket, give everybody employment, empty the poor-houses and turn the jails into factories. I have here in a table the committals for vagrancy in Ontario from 1877 down, and side by side with it, as an object lesson, if you will, I beg to repeat the list

of committals for drunkenness. Again I would ask you to note the Scott Act years. The matter of the committal of vagrants is, however, worthy of another thought. It is this feature which swells largely the committals to jail in Ontario. That I may be understood, I have made a condensation from the specific reports of the Inspector, (year 1892) showing the number of inmates of jails at the time of his visit and the number who were there as vagrants, with mention of one or two others. A vagrant is ostensibly and technically a loose, idle and disorderly person having no visible means of support, but in nine cases out of ten he is an unfortunate and not a criminal. This should be constantly borne in mind in comparing our "criminal" class with the criminal statistics of other countries.

Before concluding this branch I may give the ratio which the constituents for drunkenness bears to the total commitments in Ontario :

1887.....	37·49	per cent.
1888.....	35·74	do
1889.....	38·12	do
1890.....	38·72	do
1891.....	34·67	do
1892.....	30·36	do

Finally, in this branch, I beg to hand in a statement showing the number of licenses and the committals for drunkenness in each county in Ontario for the past ten or eleven years. These figures, though too bulky to be placed upon the record, are some of them very curious and instructive. The statistics of the penitentiary at Kingston are in line with those of the Central prison and county jails. In the year ending 30th June last, the number of convicts in this institution decreased 51, and in the previous year there was a decrease of 54. Inspector Moylan in his last report says that "the falling off for some years past in penitentiary population is a subject for rejoicing"; with which sentiment we will all agree. It may be worth noting that while Ontario's penitentiary population decreased 51 last year, Quebec's remained absolutely stationary. Dorchester, N.S., increased six, and Manitoba decreased four. British Columbia increased 15. Indians, half-breeds and Chinese form a considerable proportion of the convicts on the Pacific slope.

In 1892 the penitentiary population of Maine was 170 ; Iowa, 438 ; Kansas, 902 ; Ontario, 481. Ontario has 200,000 more population than Iowa, 700,000 more than Kansas, and nearly four times as much as Maine.

*By Rev. Dr. McLeod :*

18885a. Is there not a portion of Ontario not under license ?—Twelve municipalities have adopted the local option law.

18886a. Are there no other places which, although they have not adopted the local option law, refuse to grant licenses ?—I do not think so. There are, however, quite a number of country townships that have no licensed places among them.

18887a. And yet they have not adopted the local option law ?—Yes. It is a simple matter of convenience to them.

*By the Chairman :*

18888a. Was it the case that certain districts in Ontario at the time of the adoption of the Scott Act did not issue licenses ?—Yes, a great many.

18889a. There was of course no local option law then ?—No.

*By Judge McDonald :*

18890a. Do you take into account the circumstances existing in Manitoba, the North-west Territories and British Columbia—the fact that they were new provinces ?—They were no more new territories than Kansas.

18891a. Comparing the eastern provinces with some of the prohibition states, it might be the other way as to their growth, I suppose ?—Yes.

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18892a. Do you think the way it is put is a fair comparison?—It is fair so far as it goes. You might, on the other hand, make comparison between Ontario and the Maritime provinces.

*By Rev. Dr. McLeod :*

18893a. Do you mean that the industrial progress of Manitoba and British Columbia is greater than the industrial progress in New Brunswick, Prince Edward Island and Nova Scotia because British Columbia and Manitoba have licenses while the eastern provinces have prohibition?—Undoubtedly in part that is true. I do not say it is the sole cause, but I believe it to be a very important factor in the matter. British Columbia, it must be remembered, is an old province.

*By the Chairman :*

18894a. Do you consider that prohibition can be more effectually enforced in communities where there is little change in the character of the population, and very small addition to it, than it can be enforced in communities where the population is constantly increasing and the conditions are more variable?—Certainly. I think it can be enforced more easily under the first condition of affairs than under the latter condition you have mentioned.

*By Rev. Dr. McLeod :*

18895a. Do you attribute the increase of population in Manitoba to the fact that there is license there instead of prohibition?—I should like to put it the other way. I attribute the failure on the part of Kansas and Iowa to get any more population, to the fact that prohibition prevails.

18896a. If they had had license, do you consider that the increase would have been as great in ratio as that of Manitoba?—The disproportion would not have been so great.

*By Judge McDonald :*

18897a. Do you find any particular class of immigrants avoid these two states?—Yes, immigrants from the old country, Germans and English.

*By Rev. Dr. McLeod :*

18898a. Do you know that to be a fact?—I am quite satisfied on that point.

*By the Chairman :*

18899a. Can you tell us what this large sum, \$659,655, cost of prosecutions in Iowa, really included?—It included all the cost of prosecution, district attorney's fees, justices' and constables' fees, and any extra expense that might be incurred.

18900a. Would it include judges' salaries and the salaries of the officials of the court?—No, I think not.

18901a. Can you hand in any official document showing of what this item is composed?—I will look up the papers and see if I have any.

18902a. In Ontario the charge included the salaries and expenses of the Inspector and the License Commissioners?—Yes.

18903a. Can you tell the Commission if the expenditure of the Chief Commissioners office is included in the item of \$75,517 in Ontario?—No, it is not included. He has an office in the Provincial Secretary's license branch.

18904a. Are the expenses of the prosecuting attorneys included in the sum?—Yes; but there is very seldom a prosecuting attorney, the rule is that the License Inspector prosecutes.

18905a. Does he appear before the court and argue the cases?—Yes.

*By Rev. Dr. McLeod :*

18906a. Do you mean liquor licenses only?—Yes; we have four or five different kinds of licenses in Ontario.

18907a. Do the figures include vessel licenses?—No; the vessel licenses were abolished two sessions ago.

*By the Chairman :*

18908a. Do you mean three-fourths of the area of the province?—Yes, roughly speaking.

18909a. Can you tell the Commission what proportion of the population of Ontario was included in three-fourths as regards area?—I have not the exact figures before me, but about three-fourths of the population as well.

18910a. You do not lose sight of the fact that the large cities were not included?—They were not included.

*By Rev. Dr. McLeod :*

18911a. Are we to understand that in your opinion an increase of the licenses diminishes as the number of commitments for drunkenness?—I did not say so.

18912a. Let me read your remark, "It will be observed that while the number of licenses has increased with the growth of population, the committals for drunkenness have decreased over one-third, a most gratifying circumstance." It is stated further in effect that as the number of licenses diminished the committals for drunkenness increased. Are we to understand that that is your opinion?—I am not expressing an opinion, but simply pointing to a state of facts.

*By the Chairman :*

18913a. You have taken as Scott Act years 1885-86-87-88 and 89, I think?—Yes; from 1884-85 to 1888-89, four years.

18914a. In your statement of the number of licenses have you included extensions and transfers?—Yes.

18915a. Therefore, those licenses do not necessarily represent the total number of licensed places?—Not the total number of licensed places, but the number of licenses issued during those years respectively.

18916a. The number of licenses issued was, of course, materially decreased during the Scott Act years?—Yes.

18917a. The number of committals for drunkenness, you say, in those years bears relatively a much larger proportion to the number of licenses than it did in the years following?—Yes.

18918a. What inference do you draw from that fact?—I draw the inference that the reduction in the number of licenses did not decrease the facilities for drinking or decrease the drunkenness.

*Rev. Dr. McLeod :*

18919a. But rather increased it?—Yes.

*By the Chairman ;*

18920a. Do you attribute that to the reduction in the number of places or to the prohibition which existed?—Rather more to the failure to give effect to the prohibition which existed.

18921a. Why was the year 1887 selected?—It was selected because in that year the Scott Act was in force over the greatest extent of territory.

18922a. Was not the Scott Act repealed in a number of counties in that year?—Not until 1888, I think. There were very few cases of repeal in 1887, I believe.

18923a. Are the Central Prison figures included in the statement of the committals to jail in the Province of Ontario?—No.

18924a. Will you please refer to the returns and make sure of that fact?—I think they are not included.

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*By Judge McDonald :*

18925a. Have you taken into consideration the fact that since then there has been established the Juvenile Prison at Mimico, where a large number of boys under thirteen years are sent?—Yes ; not many of those would come under these classifications.

*By the Chairman :*

18926a. How did you arrive at the number 481 for Ontario?—It is an average of the year.

18927a. In what penitentiaries?—It is in the Ontario penitentiary at Kingston.

18928a. Are not convicts from other parts of the country sent to Kingston?—I think not.

Judge McDONALD.—I may say that all females are sent there ; they are even sent there from British Columbia.

*By the Chairman :*

18929a. The effect of that would be probably to show the number committed in Ontario larger than it is in reality?—Yes, and it would make the comparison even stronger than I have instituted here.

18930a. I wish to revert for a moment to your evidence in regard to the committals to prison in Ontario. In reply to a question I put to you, you stated that the committals to Central Prison in Toronto were not included in the 9,011 committals to the common jails, shown on page 8 of the report, which I hand you?—Yes.

18931a. Will you be so good as to turn to page 16 of the same report?—Yes.

18932a. You will find at the top of the page an analysis of the commitments?—Yes.

18933a. The number is 9,011?—Yes.

18934a. You will find there the words “found guilty and sentenced, 5,495”?—Yes.

18935a. Look at the next statement on the same page. You will find there were committed to the Central Prison, 448, and transferred to the Central Prison, 177, making a total of 625?—Yes.

18936a. The total commitments to the Central Prison Can that mean according to the return which you will find at page 97 of the same reports were 598?—Yes.

18937a. Is it not, therefore, perfectly clear that the 598 were included in the 9,011 shown as being committed to the jails on page 3 of the report?—Yes. It would seem I was mistaken in the idea that those sentenced to the Central Prison were not included in the commitments to the common jails. The mistake arose from my thinking that the Central Prison was not called one of the common jails of the province.

*By Judge McDonald :*

18938a. Or rather that some go to the common jail and are afterwards transferred to the Central Prison?—Yes.

When we come to the question of the effect a prohibitive law would have upon agricultural business, we reach a subject of great moment. Taking first the subject of barley. The annual average of barley manufactured into malt for brewers only for the four years ending June 30, 1889, was 1,511,519 bushels. The yearly average product of barley in Ontario for the past nine or ten years is twenty bushels per acre. The amount of barley for brewers' purposes would, therefore, take the product of 60,460 acres yearly. Or, the entire product of 604 farms of 100 acres each devoted entirely to barley. But, on an average, only one-half of the farm is devoted to grain, the balance being taken up with bush, pasture, fallow, hay, roots and waste land. If the grain part of the farm were devoted entirely to barley it would take the product of 1,208 farms to produce the supply required by brewers. Allowing five to a family, and one farm labourer to each farm, 7,248 of our agricultural population would be devoted to raising this supply of grain. But the average amount of grain land used in the raising of barley in Ontario is only about one-sixth, as shown by the report of the Ontario Bureau of



Industries for 1893. It will be seen that as barley bears its fair proportion to the five great cereals (fall wheat, spring wheat, oats, peas, barley), the barley produce of 7,248 farms would be left without a purchaser by the enactment of a prohibitory law. This would mean a loss of one-sixth of their income from grain (counting five to a family and one farm labourer to each farm) to 43,488 of our farm population. This pertains only to the brewery business. In addition, prohibition would mean the entire loss to the farmers of the corn product of Essex, which is purchased by Hiram Walker & Co.

*By Rev. Dr. McLeod:*

18939a. What is the amount of Canada's production of barley?—I have not the figures by me.

18940a. What part of the total production, in your opinion, is purchased by brewers and distillers in Canada?—Quite a large proportion, but not anything like the entire amount.

18941a. Do you think it would be half the production?—I do not think it would be one-half. I may say that there is a report of the Department of Agriculture at Ottawa, that gives that information, and it will be easily available to the Commission.

18942a. Do you know what is the quantity of the corn product of Essex County purchased by Walker & Co.?—I have the figures some where, the quantity is, I think, 400,000 bushels.

18943a. Do you know what relation that quantity bears to the total amount of corn purchased by that firm?—I will come to that by and by. Further, the distillers purchased and used in last year 273,045 bushels of rye and wheat, 136,407 bushels of barley, 46,884 bushels of oats. Add them altogether, and an idea of the loss to the farmer will be like this:—Amount of grain used, calculating 400,000 bushels as the quantity of corn purchased in Ontario: 2,350,000 bushels. Average price say 50 cents per bushel: \$1,160,000 that would be lost to the farmers in grain yearly, but this is only one item.

18944a. Do you know what relation this amount of 400,000 bushels of corn bears to the total amount of corn purchased?—The quantity of corn purchased on an average to about 1,250,000 bushels a year. For instance, in 1892 the quantity was 1,380,252 bushels.

18945a. Then all the corn, except 400,000 bushels, is purchased out of the country?—Yes, in the Chicago market. The amount of hops used in 1891 by brewers and distillers was 1,567,337 lbs., which, at an average of 20cts per lb., would mean \$301,467. The amount of hops imported that year was 604,467 lbs. It may, I think, be fairly calculated that the amount of Canadian raised hops used for other purposes would equal the importation, leaving the hop-grower of Canada a deficiency in his market, if prohibition were passed, of the amount quoted above.

Then take the question of the feeding of cattle at the distilleries and breweries. The figures with this item are as follows:—

Cattle fed.	Head.	Cost of Cattle.	Tons of Hay.	Cost of Hay.
		\$		\$
By distillers.....	10,000	400,000	12,500	137,500
By brewers.....	9,000	360,000	11,250	123,750
	19,000	760,000	23,750	261,250

The farmer would lose a market for 19,000 head of cattle, valued at \$760,000, and 23,750 tons of hay, valued at \$261,250. In addition, he would lose the sale of the fodder for all the teaming and truckage of brewers and distillers, which must mean a large amount.

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18946a. How would the farmers lose a market for 19,000 head of cattle? Would the cattle be worthless?—What would the farmer do with them?

18947a. Could they not be sold to drovers?—What would the farmer do with them? The law of demand regulates such a matter.

*By the Chairman:*

18948a. The farmer would lose the market, I suppose, and whether he would find a market in another direction would remain to be seen?—Yes.

*By Rev. Dr. McLeod:*

18949a. If distillers declined to fatten cattle would there be that number of cattle less in the country? Would a market be lost for 19,000 head of cattle? Do you mean to say that those cattle would be without a market, or simply that they would have to be sent elsewhere than to distillers?—They would be without this market, and whether they would find another market nobody could say. The law of demand rules in these matters, and if there are not the means of fattening the cattle they would be on the hands of the farmer. Whether he would be able to devise some means of getting rid of them in some other way, would have to be ascertained.

18950a. Where do these cattle go?—To England.

18951a. Would there not be the same demand in England as before?—There is a demand in England for an enormous number more cattle than Canada can produce.

18952a. Then there is no lack of market?—There is a lack of market for Canadian cattle there now. The question is whether we can produce cattle to send there and supply that market, and the purchasers secure them at sufficiently low rates to be able to sell them again at cheap prices to the consumer.

18953a. Do the distillers feed cattle more cheaply than other people?—They are more cheaply fed than other cattle. I do not say they are preferable as being the best fed cattle.

18954a. At this point, I may ask this question. Does it appear to you that the distillers by feeding this number of cattle on the refuse of the distillery are interfering with the farmer, in that they prevent sale by him of cattle feed?—No, not at all. You would not realize from the same proportion of grain, under the same circumstances, the same amount of money either to the farmer or to the distillers. The effect of a prohibitory law upon the agriculturist who produces grapes and apples for cider may be fairly calculated. The great bulk of the grapes produced in Canada are made into wine. They must either be made into wine or rot. At any rate 41 industries employing 150 men would be destroyed, and in cider 175 industries, employing 321 men.

*By Judge McDonald:*

18955a. What is the cider industry?—Cider mills.

18956a. Then you refer to the cider mills in the different parts of the country?—Yes, these figures are taken from the census return.

*By Rev. Dr. McLeod:*

18957a. Are cider mills increasing or decreasing in the Province of Ontario?—They are not increasing to any very large extent,

18958a. You mean that apples are used?—Yes.

18959a. Do they use sound apples or wind-falls at the cider mills?—It depends on the purpose for which the cider is to be used. If the cider is for export or for general use, it is manufactured from very good apples, but if the farmers are making it for their own use, or for vinegar they use wind-falls and a poorer class.

*By Judge McDonald:*

18960a. Is any used for vinegar purpose?—Yes, and the poorer class of fruit is used.

*By the Chairman :*

18961a. Is it the practice to ship to England the best of the crop of apples grown in Ontario?—Yes, either to England or to the central market.

18962a. At what price are you taking the hay?—At \$11 a ton.

18963a. Is that a ton of 2,000 pounds?—Yes.

*By Judge McDonald :*

18964a. Is that the average?—It is the average price for ten years at Gooderham & Worts' cattle byres—\$11.25 is the exact figure. I have taken the price at \$11 for 2,000 pounds, which is slightly below the average price for ten years. And finally calculate the loss to the farmer when an enormous number of men are thrown out of employment and their wages gone, as would be the case under prohibition. The farmer would be hurt and hurt badly in his surest point—his home market. It is argued that other crops could be substituted for barley and hops, that changed conditions would be met by changed methods. This talk is fallacious; supply is only the result of demand. When the farmer cannot sell his barley or his hops or grapes advantageously, he is injured; and anything that tends to prevent him thus selling to advantage is to him an injury. Moreover, I say, as a practical farmer, as one who has had practical experience in the growing of grains and in the feeding of cattle, both upon the farm and in the distillery stables, that both barley and cattle are what are known as "ready money" products. Barley is a crop only produced on certain lands. It is easily cultivated, is the best grain known with which to get a good catch of clover, matures early, is a safe crop, is quickly harvested and threshed, and can be sold at once. It brings the farmer ready money just at the time he most needs it; the home market is always open to him; he is not subject to foreign competition; and he is always sure of a sale. With cattle and hay, the latter can be sold at any time when he is at leisure, and his steers, having looked after themselves during the summer, are ready to be disposed of before the winter sets in. In this again he is not subject to foreign competition.

*By the Chairman :*

18965a. Have you ever tried fattening cattle with barley?—Yes, I have fed a good deal of barley to cattle.

18966a. Is it an economical feed?—No, it is not as economical food as other grains that can be produced by the ordinary farmer, and it is certainly not an economical food in the great barley district which produces white distilling barley, which is the best on the continent. It is too expensive a grain to be fed as an ordinary article of food, although quite a quantity is sold as food.

18967a. Is it an economical grain to feed to hogs?—No, and it is not a good fattening grain.

18968a. In what is the defect?—It has not the fat producing qualities of other common Canadian grains; what is more largely used is potatoes, which have, however, the fat producing qualities of some grains.

*By Rev. Dr. McLeod :*

18969a. What price are the distillers paying for barley?—Forty-two to 45½ cents, the price is very low.

18970a. It has been higher?—It used to be 60 and 70 cents.

18971a. What has brought it down in price?—It is a strange thing it is so low.

18972a. Was the price reduced by the McKinley tariff?—Not so much by the tariff as in consequence in the general drop in the price of cereals.

18973a. Did the McKinley tariff reduce the price of barley?—It has limited the price to the farmers.

18974a. Does the price paid in the United States have an effect on the price paid by distillers in Canada?—No.

18975a. Does the Canadian distiller pay more for his barley than is paid in the United States?—There is also competition by the brewers. The quantity used is sufficiently large to make a market of itself. The brewers and distillers want the best

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quantity of barley and they are always willing to pay a good price for it. I do not think the McKinley tariff has much effect on the price of barley in Canada.

*By the Chairman :*

18976a. Has it not had the effect of very much reducing the shipments of barley to the United States?—Yes, and it very much reduced the growth of barley in Ontario.

*By Judge McDonald :*

18977a. What is the effect on the land of growing barley : Is it not to wear it out?—It requires a certain class of land, good hearted land.

*By Rev. Dr. McLeod :*

18978a. When it is an exhausting crop?—A fairly exhausting crop, but I do not think as much so as other cereal crops, rye is a much more exhausting crop.

*By the Chairman :*

18979a. What is usually sown with barley in Ontario?—Is the land seeded down—Yes, it is an excellent crop to get a catch of clover and timothy seed with.

18980a. In that way is it superior to any other grain?—Yes, oats come next. The reason is that barley grows quickly and ripens quickly, and as you get it out of the way quickly the clover has a chance to catch, and when you get the top away you let the clover come on. The barley has very small leaves and does not shade the clover as some other grain.

*By Rev. Dr. McLeod :*

18981a. You say the excessive duty on malt is injurious to the trade. Why?—I think it has had more to do with reducing the price of barley to the farmers of Canada than has the McKinley tariff. The duty on malt, two cents per pound, 72 cents per bushel is absolutely an excessive duty on any grain under any circumstances, and the brewers have been compelled to take off a portion of the price to the farmer in order to get along at all. In mentioning 42½ cents I have spoken of the Toronto market, Montreal market is up to 50 cents.

Under the heading industrial and commercial interests we discuss, perhaps, the most serious aspect of the prohibition propaganda. The proposal is to calmly annihilate a trade, a commercial industry, of most gigantic proportions.

What does this proposal include?

The distillers have a property investment of \$4,933,310.

They are carrying a stock of nearly 14,000,000 gallons.

They have a total capital invested of, say \$10,000,000.

Brewers have a property investment of \$5,373,554.

A probable total investment of capital of over \$10,000,000.

A yearly product, the value of which is \$5,721,666.

The selling trade have a property investment of \$70,000,000.

A value of stock, plant and fixtures of not less than \$21,000,000.

Nearly 40,000 people would be thrown out of employment.

The yearly loss of wages would be \$10,000,000.

*By the Chairman :*

18982a. Have you any figures showing how you reach these totals?—Yes, they are all given in the early part of my evidence.

*Rev. Dr. McLeod :*

18983a. Do you think the people who want to abolish this business are of doubtful sanity?—I do not think in every instance they are of doubtful sanity, but they do not really investigate the question from a business point of view. We have had through the Province of Ontario a class of alleged honourables, professors and travelling reverends who, to my mind, are not a credit to the cause they represent. I am perfectly frank in giving that as my view.

21—82\*\*\*

*By Judge McDonald :*

18984a. You refer to the gentlemen imported from the Western States ?—Yes, and some few of our own people. Far be it from me to impugn the good motives of the great mass of prohibitionists. I think they are honest and well meaning people, but they do not enter fully into the subject before they make a declaration.

The loss to the farmers we have already considered. It can be added to the total if so desired, but I am now considering solely the commercial enterprise.

Leaving out altogether the total capital invested, there are in distilleries :—

A property investment of .....	\$4,933,210
Stock held, 14,000,000 gallons at say 50c.....	7,000,000
Total. ....	\$11,933,210

Which would be absolutely destroyed. I will discuss the question of any possible use that could otherwise be made of this property, later.

In breweries there is a property investment of \$5,375,354.

In the selling trade there is a property investment of \$70,000,000, which would suffer depreciation equal to..\$23,000,000

An investment of stock, plant and fixtures (not including furniture)..... 21,000,000

Total.. ....\$44,000,000

*By Rev. Dr. McLeod :*

18985a. How do you arrive at that view ?—You will find how I reach it by referring to the earlier part of my evidence.

18986a. You mean to say that what is now worth \$70,000,000 would be worth \$47,000,000 ?—Yes, a loss of \$23,000,000.

There is a loss on the feeding of cattle, price between when entered and when taken out, 19,000, at \$40, \$760,000.

Wine trade, capital \$396,475, take half of that as invested in property, \$198,237.

Cider trade, capital, all property, \$36,835.

Cognate trades : In this is included such trades as soda water manufacturers in part, bottlers, brewers' and distillers' supplies, coopers, case makers, &c., &c. I have some information on this subject, and place the property invested in these trades that would be lost under prohibition at a very low figure, at \$200,000.

From three cork manufacturers I have returns as follows :—

Property (that would be destroyed), \$55,779.

This shows a total property in the trade, and which is coolly proposed to be destroyed, of :—

Distilleries.....	\$11,933,210
Breweries.....	5,373,554
Selling trade.....	44,000,000
Cattle .....	760,000
Wine manufacturing.....	198,237
Cider manufacturing.....	36,835
Cognate trades.....	200,000
Cork trade .....	55,779
Total.....	\$62,557,615

*By the Chairman :*

18987a. Have you supplied any of the details for this estimate ?—Yes, we went over them previously in the early part of my evidence.

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Then there are the men who will be thrown out of employment, and their yearly wages, to be considered. These figure up as follows :—

Employment in.	No. of men.	Yearly wages.
Distilleries . . . . .	451	\$ 384,802
Breweries . . . . .	1,724	774,411
Selling trades . . . . .	35,000	10,500,000
Wine trade . . . . .	150	37,955
Cider trade . . . . .	175	47,129
Cork trade . . . . .	49	29,275
Cognate trades . . . . .	100	100,000
	37,649	\$11,864,572

Take the loss that will ensue in freight rates. The distillers pay freights, including cattle, amounting to \$359,746 yearly, the brewers, \$383,154 yearly. I do not know what is paid in other branches, but here is a total of \$742,901 from these two branches alone. Then consider the freights on imported liquors and on the various supplies that go to hotels. The railways do not look upon this as a small matter. In reply to questions put by me, the three great railway systems have responded as follows :—

Intercolonial Railway, 1891 ; weight carried, 2,427 tons, freight, \$12,376.

Canadian Pacific Railway, 1891 ; weight carried, 27,372 tons ; freight, \$200,000.

Grand Trunk Railway, 1891 : the general manager writes that the company's accounts are not made to show each variety of traffic separately, and to compile it at the numerous stations would take a very considerable time and be an expensive work. "I can say," he continues, "that the traffic in question does represent a very large interest of considerable importance to the company."

I may say that the Intercolonial Railway must do an immense traffic amongst the prohibition counties in the Maritime Provinces that does not appear in its true colours.

*By Judge McDonald :*

18988a. What do you mean by this statement respecting the transportation of liquors ?—It would not be entered as transportation of liquors in Scott Act counties.

18989a. Do you mean that these were sent by the express companies ?—Yes ; or in packages not designated as liquors, the contents of the packages not being made known.

18990a. In the Maritime Provinces did you not find that some beers had local names, such as Schick & Bigelow's beer and other varieties. Is the capital invested in making those beers included in the estimate ?—Those are not intoxicating liquors.

18991a. You look upon those as local beers ?—Bigelow also manufactured malto-pepsin porter, which is sent by carloads throughout the country, but I have not taken that into consideration. It is a tonic. It is of course porter, but it is not included as a liquor.

18992a. Are there any of those liquors used now in prohibition communities that would disappear if they returned to a license law ?—Undoubtedly. I have no doubt—I do not include the malto-pepsin porter—but that beers, such as Schick beer are undoubtedly evasions of the law.

*By Rev. Dr. McLeod :*

18993a. Then there was the beer made by the Charlottetown brewery, the name of which beer was afterwards changed ?—Yes.

18994a. And there was a judge who gave evidence that the beer was not intoxicating, but simply exhilarating, and that it was allowed to be sold without let or hindrance ?—Not as it is called now ; it is sold now as beer. In Ontario there was a "blue ribbon beer."

*By Judge McDonald :*

18995a. It was stated that that was intoxicating ?—It was not sufficiently intoxicating to make people who wanted beer purchase it, and the sale dropped and the manufacture was stopped.

*By Rev. Dr. McLeod :*

18996a. Do we understand that people buy beer because of its intoxicating character ?—No, but they desire enough alcohol in it to make it beer.

18997a. I judge from your remark that "blue ribbon beer" was not sufficiently intoxicating ?—It was not beer ; I did not consider it so.

*By the Chairman :*

18998a. Would it keep ?—Not any length of time.

18999a. Must not beer have a certain amount of alcoholic strength in it in order to be kept for any length of time ?—The idea of manufacturing three per cent beer is altogether impracticable if you are going to have a beer to be kept any length of time.

*By Rev. Dr. McLeod :*

19000a. What is the smallest percentage of alcohol in liquor that would keep ?—Not less than five or six per cent.

*By the Chairman :*

19001a. But the lighter beers, such as lager, are generally drank when newly made, I understand ?—I think very little lager of less than five per cent of alcohol in it is used.

*By Judge McDonald :*

19002a. The bottles are kept on ice ?—Yes.

*By the Chairman :*

19003a. Do you know whether intoxicating liquors are carried over the Intercolonial or any of the railways that run near the frontier of the State of Maine, and that such intoxicating liquors are carried under some other designation ?—Yes, I know that. I know beer is sent into the towns, villages and cities of the Maritime Provinces under other designations than as liquors. I have seen them packed away in the warehouses and subsequently delivered.

*By Rev. Dr. McLeod :*

19004a. Would that seem to indicate that local prohibition has some effect, in that it compels concealment and deception in that regard ?—Probably the closest secrecy in that respect is kept in Yarmouth, and I certainly think there is more drinking there than in almost any place in the Maritime Provinces outside of Halifax.

*By the Chairman :*

19005a. Do you know of any considerable shipment of whisky made to stations on the New Brunswick Railway and the Temiscouata Railway ?—I have only heard of them ; I do not know of them of my own knowledge. I have classed the brewery and distillery properties as a total loss simply because that would be the result. There is no turning them to other account. Built as they are, they are not suitable for any other business, and even were they, it would make no difference. There is never progress sufficient in a prohibition country to require them for other purposes. Maine lost over eleven hundred industries under prohibition in ten years. What did she want with her empty breweries and distilleries for industrial purposes. Those breweries of Kansas and Iowa which have not defied the law are to-day lying in ruins. No prohibition State has within its borders a city of large population. No State or province in North America enjoying the blessings of prohibition, has a city of 40,000 inhabitants, except in Nova

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Scotia, Halifax, which was built up under license law. St. John, New Brunswick, much as the bright little city has struggled, lost in population instead of gaining during the last decade. Fredericton has been stationary ever since she has had prohibition, and even Moncton, which grew while openly defying the law, has now been struck by the general stagnation. Meanwhile Toronto doubled her population in ten years, Montreal added about 100,000 to hers in the same length of time, and big cities are growing up in the west. Maine has Portland with less than 40,000, but when a license state is struck, there is Boston with 450,000. The most striking example is Iowa, with such paltry towns as Des Moines, Dubuque, Council Bluffs, etc. Bordering this state are Illinois, with Chicago, 1,098,000; Wisconsin, with Milwaukee, 204,000; Minnesota, with St. Paul, 133,000, and Minneapolis, 164,000; Nebraska, with Omaha, 140,000; and Missouri with St. Louis, 450,000, and Kansas City, 132,000. There is another bordering state, wind-swept Dakota, but it, too, is suffering from the blight of prohibition, and has no town of importance. The same is true of Kansas, with Kansas City, Omaha, Denver and other large cities in the bordering states, but no industrial centre worthy of the name within her own borders.

*By Judge McDonald:*

19006a. Do you mean to say they have not violated that law in Kansas or Iowa?  
—The breweries that have not violated the law are lying in ruin.

*By Rev. Dr. McLeod:*

19007a. Are there any breweries in Kansas and Iowa lying in ruins?—Yes.

19008a. Many of them?—Quite a number, especially in Iowa.

19009a. Did the law bring about that condition of things?—Yes. It was stated in the Iowa Legislature the other day that \$6,000,000 annually are sent outside of the State for liquor that is brought in, and which might as well be manufactured within the State.

*By Judge McDonald:*

19010a. Did you learn, when there, that grain raised in Iowa is shipped out of the state, manufactured into intoxicating liquors in other states and shipped back again?—It was quite common talk both in Iowa and Kansas.

*By the Chairman:*

19011a. Did you personally see any brewery lying in ruins?—Yes. There was one at Leavenworth that I specially noticed; there was also one at Cedar Rapids. The old brewery was lying in ruins. The new brewery connected with the railway station had thirteen cars of liquors standing there. One was lying idle and the other brewery in Cedar Rapids was in operation.

19012a. Are we to understand, therefore, that you consider prohibition would be a blessing?—No.

*By Rev. Dr. McLeod:*

19013a. Do you attribute the fact that St. John has lost population during the last decade, to prohibition?—No. It has not had prohibition, but it has prohibition all round it. I am speaking about the province.

19014a. As I understand that if there had been no prohibition in New Brunswick, St. John would have gone forward instead of backward?—Very probably. I think the prohibitory law and the manner of enforcement in New Brunswick has had a very detrimental effect on the industries and general welfare of the province.

19015a. Has it been enforced?—It has been attempted to be enforced.

19016a. With any success?—With very little success in some sections, and with partial success in others.

19017a. If with little success, why has it had a bad effect on St. John? If prohibition had only been a name all around and about St. John, why should it have had a bad effect on the city?—Because the effect of prohibition, whether enforced or not



enforced, if there is even a possibility of spasmodic attempt at enforcement, is to disturb capital which is the most sensitive thing on earth. Unless there is stability capital will not seek investment in any community. There is the trouble and the explanation why prohibition states have not prospered and their cities have not grown. There is no doubt whatever on that point.

19018a. Is that because of the enforcement of the law?—It is because of the instability of the law.

19019a. Have Toronto and Montreal increased their population at an enormous rate because of the existence of the license law?—Because there was some stability, some guarantee for capitalists that the money they invested would not be disturbed. I am satisfied that the prohibition agitation in Ontario has had largely to do with the general situation in Toronto to-day.

19020a. Is that what has knocked the bottom out of business in Toronto?—Capital needs stability in business.

19021a. Toronto, I understand, has lost many people recently?—These statements are very largely exaggerated.

19022a. Is that due to the plebiscite agitation?—I think it has to do with it. Undoubtedly industries are not progressing at present, because of doubts as to tariff legislation at Ottawa, but the other agitation, disturbing capital as it does, has to do with it. You must not place too much reliance on unreliable stories of Toronto. There are plenty of unemployed people, but they are not there by droves as you may read in newspaper reports.

19023a. Some of the newspapers, I understand, are dispensing charity, and the people by thousands have been waiting upon the Premier of the province and on the Mayor of the city?—It is not an indication that there are a large number of unemployed because the newspaper offices distribute supplies.

19024a. Are they distributing bread?—Yes, and mutton and beef.

19025a. You say they are distributing meat?—Yes.

19026a. Has any distiller distributed beer or whisky?—I do not think so.

19027a. Except for due consideration?—Yes. I have not heard of a wholesale house distributing rolls of cloth.

19028a. The newspaper officers are the great distributors?—Yes, I have yet to learn that the bakers are distributing bread and the butchers distributing meat.

19029a. Is the difference between Portland and Boston to be attributed to prohibition in the former and license system in the latter?—Not altogether; but I draw attention to the fact, and I wish to emphasize, it, that in no prohibition state or province do you find a large city. You may account for it one way or another as you like.

19030a. I would gather from your statement that the reason for the small population in the one case is prohibition and the reason for the large population in the other case is license?—I have no doubt that none of the Iowa towns have grown much, and the fact that there has been hardly any growth or prosperity is due to the prohibitory law of that State. I have no doubt whatever on that subject.

*By the Chairman :*

19031a. Do you know any large city with say a population of 100,000 where prohibition exists?—No, I never heard of any community numbering 100,000 that adopted prohibition. I have grave doubts if I ever will hear of such a city.

*By Rev. Dr. McLeod :*

19032a. You have heard of a city with over 100,000 having voted favourably to prohibition, I suppose?—No, I never heard of them.

*By Judge McDonald :*

19033a. Was there not a majority given in Toronto in favour of the plebiscite?—The plebiscite was not prohibition.

19034a. How did the total vote polled in Toronto compare with the total vote?—There was 28½ per cent of the total vote on the roll polled in favour of prohibition in Toronto, certainly less than 30 per cent.

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*By Rev. Dr. McLeod :*

19035a. And how did the total vote against it stand ?—The vote was slightly in favour of prohibition.

19036a. How much did the vote stand below the total vote in the municipality polled on the same day ?—Very slightly below, but there was to be added to that all the voters entitled to vote under the manhood franchise act of the Local Legislature, but those voters were not allowed to vote in the municipal elections. There were 10,000 or 12,000 additional who might have voted.

*By the Chairman :*

19037a. What was the total vote polled ?—22,000.

19038a. What was the total vote cast for and against ?—It was about 21,000 altogether.

19039a. What was the total vote given for representatives for the House of Assembly ?—45,000.

19040a. I observe by your statement that you estimate that there will be a loss of duty on 14,000,000 gallons of spirits to the extent of \$1.90 per gallon, equal to 21 millions in a lump sum. Please tell the Commission what you mean by that ?—I assume that if a prohibitory law were passed, time would not be given the distillers for the sale of stock on which the duty has been paid. I do not suppose the Government would get a revenue, if the law were such as to compel the people to pay for the manufacture of an article which they would not be allowed to sell. Consequently the revenue would be lost.

19041a. The revenue would not be lost if the whisky were sold ?—Yes.

*By Rev. Dr. McLeod :*

19042a. If the Government took over the liquor and disposed of it for medicinal and other purposes provided for in the law ?—That would do. They would charge enough to get the revenue out of it. It seems to me, and I draw attention to the fact, that the Government would have enough to provide the people with liquor for the space of time equal to two or three men's lives.

*By Judge McDonald :*

19043a. What would the distillers get for the liquor, leaving out the \$1.50 per gallon duty ?—I suppose about 50 cents per gallon.

19044a. Then if the Government took it from the hands of the distillers they would have to pay about \$7,000,000 for it ?—Certainly.

*By Rev. Dr. McLeod :*

19045a. When the liquor passes to the consumer, what generally speaking, is its value to the wholesale dealer. If I go to a distiller and buy 1,000 gallons of whisky, taking it out of the bonded warehouse and pay \$1.50 a gallon duty on it, how much money would have to be paid when it was taken out of the warehouse ?—The distiller will charge you 50 cents a gallon and the duty would bring it up to \$2 a gallon. The charge would be between 45 and 55 cents.

*By Judge McDonald :*

19046a. Would there not be a cartage to add ?—The distillers would deliver it to you free on board for that price. If the liquor went to the bottlers there would, of course, be corks and other matters to pay for.

*By the Chairman :*

19047a. Is it your opinion that if a general prohibitory law were passed by the Dominion Government it could or could not be efficiently enforced under the present state of public opinion ?—I think most certainly not.

19048a. What leads you to form that conclusion?—I do not find that the laws such as we have, are enforced in these parts of the Dominion where prohibitory laws have been adopted. When we had in our own Province of Ontario the Scott Act, it was not efficiently enforced. I do not find in any of the states of the United States, where they have prohibitory laws anything like efficient enforcement. Take the vote recently taken in Ontario where a vote of nearly 36½ per cent of the total voters on the list was cast for the plebiscite, you could not count on any possibility of enforcement under the circumstances. There is a large proportion of the people who still oppose a prohibitory law on principle, and there is a very large proportion who will be utterly indifferent as to its enforcement. There must be a strong public sentiment in favour of such a law before you can secure efficient enforcement. That sentiment does not exist at the present time in Canada.

*By Judge McDonald:*

19049a. Have you ever been in a country where such a law was in force?—No.

19050a. Merely travelled through?—Yes.

19051a. You have never remained for any length of time in such a community?—Yes, for some time. The county next to where I lived had the Scott Act at one time.

19052a. What county is that?—Wellington.

19053a. Was the Scott Act observed there?—No, it was not observed.

19054a. There is a statement made frequently, and you have referred to it already, viz., that the prohibitory laws in counties under the Scott Act are as well observed as are the laws against theft and other offences. What is your experience in regard to that matter? No doubt you have heard such statements made before this Commission?—Yes, I have heard that statement made frequently. It seems to me to be an absurd statement. That, if half a dozen persons, as I have frequently seen, should get off a train for a few minutes, while it was in the station, and get a drink they would be accused of committing an offence equivalent to theft, and get on again and no one interfered with them. Nothing seems to be so utterly absurd. I might instance the case of Fredericton, New Brunswick, where probably a thousand cases of infraction of the liquor laws occur daily.

19055a. Is that not a very large estimate?—It may be.

19056a. How many people do you think are engaged in the traffic?—About 20 people. They would have to sell fifty drinks a day in order to enable them to live, and that would give a thousand drinks a day. We cannot conceive of a thousand thefts being made daily in Fredericton. Then there is the case of Iowa which has 6,000 liquor dealers, and according to the same proportion the offences would be equivalent to 300,000 thefts a day. It seems to me that the people who make such statements have not thoroughly considered what they are stating.

19057a. Of course there is another view, that a theft is a different sort of crime from infractions of the liquor laws?—Whatever the law may be, it is a different matter. Theft is a crime against the state, and it is a crime *per se*.

19058a. You think there is a distinction between a crime *per se*, and an action not harmful in itself, but made harmful by municipal and other regulations?—Yes. There are very many people who could not be made to believe that they are committing a sin by breaking a prohibitory law. And very many people who will break a prohibitory law do not believe it to be a sin to do so.

19059a. You have put forward an illustration, that of six men getting off a train at a station and taking drinks and committing six breaches of the law and no one interfering with them. If these six men were to go and each commit larceny as publicly as they take a drink, would they be interfered with?—Certainly, everybody about the place would feel it to be his duty to interfere with them.

19060a. Then do you believe that the state of feeling in a community has something to do with the enforcement and non-enforcement of a law?—No doubt it has. Public opinion regulates the enforcement of all laws. One person may make a spasmodic effort to stir up the people to enforce the law, but that will only last a short time and it will be a very short time.

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19061a. In what county did you live at the time to which you have referred?—My house was in Waterloo; I now live in Toronto.

19062a. Waterloo was not under the Scott Act?—No.

19063a. Do you know the county as a whole?—Yes.

19064a. What class of people live in Waterloo?—Except the townships of Dumfries and Wilmott, it is largely German and Pennsylvania Dutch.

19065a. Are they a very sober people?—Yes, a very quiet people.

19066a. What is their principle beverage?—They drink lager beer.

19067a. Do they use much of it?—Yes, a good deal. There are eight breweries in the county, I think.

19068a. Is there much drunkenness in any section of it?—No, there is not in any section of it.

*By the Chairman:*

19069a. Do you desire to make a statement, with regard to the possibility of preventing smuggling from the United States frontier in case a prohibitory law were enacted?—I cannot say much on that subject. I am of the opinion, however, that it cannot be prevented. To my mind it seems that it would be utterly impossible, but, of course, I have no personal knowledge. I conversed with one of the smugglers in Quebec on this matter and his statement was, that, if steam vessels were used any one could bring in all the whisky he wanted. There was nothing to prevent it as long as you had a vessel that was slightly faster than the cruisers, and even with the sailing vessels the number of smugglers caught were very few.

*By Judge McDonald:*

19070a. Have you any general information with respect to the subject of adulteration? Have you made the matter one of study?—I have made it a matter of inquiry.

19071a. From inquiry made and from your consideration of the subject, do you find adulteration to prevail to any extent?—Not to any extent, it is principally in the way of adding water to the whisky, although there is a large amount of adulteration. There is a large amount in Montreal and there are houses in this city manufacturing adulterated liquors.

*By Rev. Dr. McLeod:*

19072a. Are not these people authorized to do business by the Government under the name of compounders?—That is a different matter; a compounder is not an adulterator.

19073a. A compounder puts up a compound composed of a number of substances and calls it by a fancy name?—Yes, but all that is done under the authority of the law, the ingredients used and the formula adopted must be first authorized by the department in order to avoid any deleterious substances being used. But when parties are allowed to send out of Montreal and offer to furnish receipts to manufacture rum, brandy and other liquors with ingredients such as common alcohol and essential oils and other essences, it might have a bad effect.

19074a. Is that done?—Yes, I have seen it done.

19075a. Do you know whether wholesale houses manufacture a large proportion of what is distributed over the country, it being alcohol manufactured, coloured and labelled by themselves?—No.

19076a. Nor brandy or anything else?—No. Many of the cheap brandies and gins sold here are manufactured from one source, but that is not done in this country because these liquors are imported. Such liquor is made from potato alcohol prepared in Germany and from that they can manufacture anything, from Scotch whisky—I do not include rum—to brandy or gin. The only harmful part of it is the very poor quality of liquor used. My suggestion would be that the Government should take hold of the inspection of liquors the same as they do of the inspection of food, and have sufficient force, with power under the law to make a thorough examination and prevent the sale of adulterated liquors. I believe incalculable harm is done in that direction at the present time.

*By the Chairman :*

19077a. You deal, in your statement, also with the question of reducing the number of licensed places?—Yes.

19078a. You quote from a Swiss document I understand?—I will hand in the report to the Secretary; it is Mr. Gurney Benham's statement in regard to licenses.

19079a. Do the working class lose much time through drinking?—Very little according to my experience.

19080a. In printing offices with which you have had a good deal to do; do the printers after pay day lose much time?—There is some loss of time. Printers are exceptional in this respect. Their work is piecework and they have what is called subs, a sufficient number of men to enable the regular hand on pay day to think he will be off for the night. However, I have to say this, that there is a good deal more time spent in going to base ball matches by printers, than from the consumption of liquor.

19081a. Is drinking on the increase or decrease throughout the country?—The statistics go to show that drinking is on the decrease. My own observation coincides with that, still drunkenness has increased in some of the provinces, yet, on the whole, there is a decrease, but the consumption of liquor does not appear to have decreased.

19082a. On what do you base that calculation?—On the report showing the annual consumption per head of spirits and beer and wine.

19083a. To what do you refer?—To the report of the Inland Revenue Department at Ottawa.

19084a. Do you know if the statistics of population from which those returns were obtained were correct. You are aware that between 1881 and 1891 there was a system of estimating the population which was subsequently found, when the census was taken in 1891, to be somewhat inaccurate?—Yes, I know that was the case.

19085a. Do you think those averages would be obtained by taking that estimated population from a series of years?—Yes. I arrive at the conclusion I have stated by taking the census years, they being 1871, 1881, and 1891.

19086a. Take 1881 and 1891 and what inference do you draw from the figures?—In 1881 it was .922 gallons of spirits consumed per head of population; in 1891 it was .743 gallons, which shows a decrease in the consumption of spirits. In beer there was a consumption of 2.293 in 1881; in 1891 it reached 3.790, being a very large increase. In wine in 1881 the average consumption was .890; and in 1891 it was 1.11 which shows an increase. Taking all together there is considerable increase in the consumption.

19087a. The larger increase was in beer?—Yes.

19088a. There was a large decrease in the consumption of spirits?—Yes.

19089a. And the change in the consumption of wine was only slight?—Yes. Is it your opinion that there was in 1891 a much larger quantity of lager beer consumed proportionately than in 1881?—Undoubtedly there was.

19090a. Can you tell us the proportion that lager beer bears to the total quantity of beer drank in 1891?—No, I cannot. I endeavoured to get some idea of it, but did not succeed.

19091a. But it is your opinion that the quantity was very much larger than in 1881?—Yes.

19092a. Do you think it has continued to increase?—Yes.

19093a. Have you at any time reduced those figures to an alcoholic standard?—No. It would be rather hard to do so, unless you got the records of the Inland Revenue Department. I have no means of knowing what is adopted as the alcoholic strength of lager beer or ale.

19094a. Have you formed an opinion on that subject, that if the quantity consumed in both periods were reduced to an alcoholic standard the latter period would show an increase over the former period or not?—It would be very hard to say. A good deal of lager beer is brewed in Ontario of the same strength as ordinary ale; and some that is a good deal lighter and I cannot make an estimate of the strength of the whole and therefore cannot come to any conclusion in regard to it. There is this point to be brought out in connection with spirits that I have not taken into consideration,

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the enormous quantity of smuggled whisky that came up the Gulf in 1891. That probably accounts for the decrease shown by the figures in that period.

19095a. On page 76 of your paper appear returns of arrests for drunkenness. Do you wish to give any evidence on that subject. These are in regard to Toronto, I understand?—I am speaking here of the decrease in the number of licenses, not the decrease in the amount of drunkenness.

19096a. From your observation can you say whether the decrease made in the number of licenses issued in Toronto has led to any diminution in the number of arrests for drunkenness in that city?—The effect of the decrease in the number of licenses was to lead to a very large increase in the arrests for drunkenness. The by-law came into force on the first of August, and taking corresponding periods in 1886 and 1887 with five months after this by-law came into effect, the figures show a remarkable increase during the period when licenses were reduced as compared with the year before. The numbers increased from 1,647 to 2,145. I have given the statistics in the table.

19097a. You have referred to a time when the law first went into operation?—Yes.

19098a. What has been the result since?—The arrests and number of persons summoned for being drunk and disorderly were as follows:—

1886.....	4,283
1887.....	5,209
1888.....	4,882
1889.....	5,441
1890.....	5,023
1891.....	3,758
1892.....	3,657
1893.....	3,644

19099a. What led to the great decrease of arrests in 1891?—I think that was partially attributable to a change in the methods of the police, although I think in part it was due to the people getting settled down, and times were, perhaps not so good and money was not so plentiful.

19100a. The reduction has continued since?—The reduction has continued since then. The police do not arrest people as strictly as they did before, and then, as I have said, it was partially due to hard times and lack of ready cash. I have some figures in regard to England, to which I desire to draw the attention of the Commission. I will hand them in to the Secretary. They have reference to a decrease in licenses and how that affects drunkenness.

19101a. Can you give the Commission any information in regard to liquor legislation in Switzerland? Have you any official papers in your charge on that subject?—I have only extracts from certain papers, which I will send to the secretary.

19102a. How were they obtained?—I think the particular document to which I desire to refer was sent to me from England. I will place it in the hands of the Secretary together with other papers. I submit, herewith, a statement of the arrests for drunkenness in the five months following, for the year 1886, before the licenses were reduced and for the year 1887, after they were cut off:—

	1886.	1887.
August .....	336	472
September.....	366	463
October.....	312	469
November.....	331	366
December .....	302	375
Total .....	1,647	2,145

Increase, 1887 over 1886, 498, or nearly one-third more under the reduced licenses.

Date.	Total number of persons apprehended or summoned for being drunk or disorderly.
1880 .....	2,873
1881 .....	2,908
1882 .....	2,974
1883 .....	3,407
1884 .....	3,644
1885 .....	3,864

*By Judge McDonald :*

19103a. You stated that in the election held for local option purposes, a large percentage of the vote is not polled?—Yes.

19104a. Do you refer to the vote on the Scott Act or the plebiscite?—These elections were on local option by-laws. I have a return showing them up to 1892. I see by the Budget speech of the Provincial Treasurer, which was delivered a few days ago, that there were now only 12 townships under local option by-laws.

19105a. Do you mean 12 in the whole province of Ontario?—Yes.

19106a. You say that in those elections there is not a large percentage of the vote polled?—No. It is almost invariably the case. At these local option by-law elections, as well as the vote on prohibitory measures, a very large proportion of the vote is not polled.

19107a. Have you ever been in any of those townships?—Yes.

19108a. How was the law carried out?—In one particular township I have in my mind at present, I will not mention the name, all the dealers that sold then sell now, not as openly as before but quite as much liquor. I have seen some of the brewery travellers and the orders they have brought out correspond with the orders they obtained there previous to the adoption of the local option by-laws. Still the territory covered is so narrow and the surrounding towns not being under the influence of such a by-law, you cannot expect much enforcement.

19109a. Have you any personal knowledge of the way the law is carried out in districts where local option has been adopted in the Province of Quebec?—No.

19110a. You have referred also to local option in the State of Massachusetts. The law there is that a vote on the question has to be taken every two years?—Yes.

19111a. It is compulsory?—Yes.

19112a. The question is simply, shall licenses be granted or not?—Yes.

19113a. Each voting district has a right to say yes or no, on that question, I understand?—Yes.

19114a. Do you think that is a good system?—I do not.

19115a. What is your objection to it?—It cannot serve any useful purpose to have a town such as Fall River issuing licenses one year and refusing to issue any the next year. Many men would run for municipal offices whether in favour or not in favour of local option, without regard for their fitness for the performance of their duties. Such a course of procedure cannot but have a bad effect.

19116a. What is the state of affairs in Massachusetts compared with what it was ten years ago?—Is there a larger number of places under prohibition now than there was ten years ago?—I have not the figures by me. My recollection is that there is a considerably less number under prohibition now than there was ten years ago. I see one result of such outside suburban towns to Boston having local option has been that the Boston and Maine railway, within the last week and a half have had to adopt very severe and stringent regulations with respect to drunken men travelling on their late trains. These men not being able to get liquor in the suburban towns, go to Boston and get drunk and return home, disturb the people on the cars, and as I have said, the railway company have adopted very stringent regulations with respect to them.

19117a. Have you a copy of the regulations?—No; but I saw a copy.

19118a. Could you obtain a copy?—I could write to the general office for a copy.

LOUIS P. KRIBS.

19119a. Have you any personal knowledge of the state of matters in the City of Atlanta?—No. My information is obtained through correspondence and reading.

19120a. Is there anything you desire to state to the Commission with respect to granting compensation to brewers and distillers in the event of a prohibitory law being enacted?—I should like to make a statement in regard to that matter. On the point of compensation I may be allowed to offer a short statement. The whole scheme of prohibition is founded on the alleged necessity of, in the matter of the consumption of liquor, making the rights of capital subservient to the public welfare. It is not denied that the manufacture and sale of liquor are lawful rights until restrained or forbidden by the Legislature. The restrictions placed upon the manufacture and sale of liquor are not because there is anything abstractly wrong in the trade, but because of the idea of protection to a certain class of society. If no one used liquor to excess restrictions would be unnecessary, and prohibition would never be heard of. The idea of restriction is to prevent as far as possible the excessive use, while the idea of prohibition is to prevent any use whatever. Not being abstractly wrong, it follows that those engaged in the traffic have a right, and the only justification for interference with that right would be urgent necessity. How urgent that necessity must be to justify interference with admitted individual rights, is what each one must determine for himself. But the gravity of such measures will not be lost sight of by thoughtful men. Mr. Cooley, in his valuable work on Constitutional Limitations, says: "The trade in alcoholic drinks being lawful, and the capital employed in it being fully protected by law, the Legislature then steps in and by an enactment based upon general reasons of public utility annihilates the traffic, destroys altogether the employment, and reduces to a nominal value the property on hand. Even the keeping of that for the purposes of sale becomes a criminal offence, and without any change whatever in his own conduct or employment the merchant of yesterday becomes the criminal of to-day, and the very building in which he lives and conducts the business, which to that moment was lawful, becomes the subject of legal proceedings if the statutes shall so declare, and liable to be proceeded against for a forfeiture."

Rev. Dr. McLEOD.—I think there has been a ruling adopted by this Commission that no document should be put in unless the whole were put in. This is an extract, I understand.

The CHAIRMAN.—I do not think there was a ruling to that effect.

Judge McDONALD.—The Chairman over-ruled it. I still hold the same opinion.

The CHAIRMAN.—Mr. Cooley is a very eminent authority on constitutional law. He was Chairman for a time of the Inter-State Commission and also professor of Ann Arbor University. Whether it is worth while to have his opinion on a matter of this kind or not it is for the Commission to determine.

Judge McDONALD.—I do not think the point has been taken that because an extract is read from a book, that the entire book should be read.

Rev. Dr. McLEOD.—I am perfectly willing to have it go in. Objection has been made a number of times that certain evidence was an argument and that it had better be left out of the record. Is this an argument?

Judge McDONALD.—I have raised the question on different occasions, and I am certainly of the opinion that evidence of this nature should go on the record. We have asked almost every man who has appeared before the Commission, "Do you think it right that compensation should be made to brewers and distillers, &c." If a man says No, that goes on the record. We have had witnesses who have gone on and said that it is their opinion for such and such reasons. We have had a good deal of testimony of that sort already on the record. I think this statement is just the same as if Mr. Kribs was asked the question, "Do you think compensation should be granted to brewers and distillers."

Rev. Dr. McLEOD.—There is the argument all through the statement.

Judge McDONALD.—I do not think the last clause is stating a reason.

Rev. Dr. McLEOD.—Where does the reason end?

Judge McDONALD.—Where we get to the end in which he states that they should be compensated.



*By Rev. Dr. McLeod:*

19121a. Do you know that the slave holders ever were compensated?—I do not. You do not compensate any man for doing what is wrong in itself and slavery is wrong *per se*.

Mr. KRIBS.—Now, granting that the public good demands a prohibitive law, does it follow that the public good demands that the brewer or the distiller shall bear the loss thus caused? The property which cost him, say, \$50,000, is now worth \$10,000. He has given up \$40,000 for the public benefit. He has not done this voluntarily, but by compulsion of law. The sum has been taken from him as a penalty for no offence. His business was just as lawful the day before the Act, passed as that of the dry goods merchant. Even more, he had the expressed license of the Government. Therefore this \$40,000 has been taken from the individual against his will for the public good. I do not think it can be successfully contested for one moment that any public necessity can justify the taking of a man's property against his will, and for no offence of his own, without compensating for that property. Consider, for instance, when the public take from a man an acre of land by expropriation. His right is to keep his land. Public necessity compels him to give it up, but it has never been held in any country, or under any form of law that public necessity required that he should lose the value of his land. In fact the most stringent regulations are made in his behalf that he shall recover to the last dollar the value of the property expropriated for the public good. It may be contended that the property of the distiller or the brewer is not taken by the Government.

True, the Government does not take away the property, but it takes away the object of its existence, and in saying to the manufacturer, "You must not use the property for the only purpose for which it is of any use," the Government as effectually deprives him of it, as though it had been expropriated and the owner prevented from entering therein. The compensation given by the British Government for the abolition of slavery in the West Indies is frequently referred to. In this case, however, the claim for compensation is much stronger than even that of the liberation of the slaves. Slavery was founded on a false principle, was inherently wrong, and in that case compensation might have been refused because the aim sought to be obtained, was the righting of a gross wrong. Nobody will contend that the liquor traffic is in the same category, that inherently it was wrong, or that the citizen who consumed a glass of beer committed a wrong to society. Therefore, much stronger is the claim for compensation in the case where property is lost through statutory enactment, than in the case where property by right could not exist at all. Undoubtedly justice requires that if a prohibitory law is passed, brewers and distillers, and others whose business will be ruined should be compensated.

*By Rev. Dr. McLeod:*

19122a. How many does that mean? You say, "the restrictions placed upon the manufacture and sale of liquor are not because there is anything abstractly wrong in the trade, but because of the idea of protection to certain classes of society." What class of society?—A class of society, who it is believed by a good many people, are injured by the use of liquors.

19123a. There is such a class?—I do not say so. No doubt, however, there is such a class of people.

19124a. And the restriction is for their protection?—Yes.

19125a. So the restrictions protect them, according to your observation?—To some extent perhaps, but not to the extent that restrictions might be made to protect them. But in adopting restrictions for this certain class you have to consider the rights of other people as well.

19126a. What class of people is it?—The people who use liquor to excess.

19127a. What do you mean by excess. All over the country we have met with that term and it is a very variable one?—Yes, it is a very variable one. I mean those who use liquors to the extent of injuring themselves.

LOUIS P. KRIBS.

*By Judge McDonald :*

19128a. A Methodist minister at Guelph, who is President of the Conference, stated under oath that he had never known a moderate drinker who had not become an immoderate drinker. Assuming that to be accurate, would not the use of liquor be injurious to every class of society?—I could hardly assume that to be correct, or imagine it to be correct.

*By the Chairman :*

19129a. I gather by the evidence given by you before this Commission that you are opposed to the passage of a prohibitory liquor law?—Yes.

19130a. Will you be so good as to state your reasons, the ground of your objection to such a law?—Yes. I am opposed to prohibition because : 1st. It is wrong in theory and impossible of effect ; 2nd. It contemplates a tyranny that cannot be justified by even the good its promoters ostensibly seek.

Rev. Dr. McLEOD.—Has not Mr. Kribs already given his reasons and these are conclusions. I understand that all through this statement Mr. Kribs has been giving his reasons. Whether there are additional reasons or conclusions he is reading, I do not know.

Judge McDONALD.—We have been trying to confine him to facts.

The WITNESS.—3rd. It increases the evil sought to be removed, and develops other and far greater evils.

*By Rev. Dr. McLeod :*

19131a. How is there unrighteousness in the pulpits in connection with speaking about prohibition?—There is unrighteousness in the pulpits when such a statement is made that all the witnesses who appeared in opposition to prohibition before your Commission had a danger signal at the ends of their noses. That was a statement from the pulpit.

19132a. Was it made by a clergyman?—No, but it was made by an occupant of the pulpit.

19133a. I supposed you had reference to a man who regularly occupied a pulpit?—I did not say that it brings unrighteousness in all men who occupy pulpits.

19134a. What is the form of unrighteousness it brings into the pulpits?—The form of untruthfulness to other fellow men. I am therefore opposed to prohibition, because :

- (1.) It is wrong in theory and impossible of effect.
- (2.) It contemplates a tyranny that cannot be justified by even the good its promoters ostensibly seek.
- (3.) It increases the evil sought to be removed, and develops other and far greater evils.
- (4.) It is based upon an atrocious injustice to a large section of the community, and boundless brigandage towards a larger legitimate trade.
- (5.) It is fostered by gross exaggeration, moral and scientific error, and immoral and unchristian doctrine.
- (6.) It breeds perjury in the courts, knavery in politics, unrighteousness in the pulpits, and contempt for law among the people.

(7.) Where attempted to be enforced it destroys a reputable and open traffic only to drive it into the hands of the most disreputable classes ; robs the country of those wise restrictions they are content to submit to ; opens the way for wholesale adulteration, gives free play to all that is evil in the traffic and offers opposition to only that which is good.

(8.) Under it crime increases while prosperity decreases, drunkenness increases while immigration decreases, it destroys industry while furnishing ready avocation to the blackmailer, to the bootlegger and the professional prohibition agitator.

(9.) It asks, for its success (which it even then fails to obtain), powers not granted under any other law, robs the citizen of a fundamental principle of British law, viz : that he shall be held innocent until proven guilty, depends for evidence to convict largely upon the scum of creation—the base professional informer, who betrays his host through the very means by which hospitality was offered.

(10.) It robs the young man of his manliness and his moral sense, and develops in him sneaking, quibbling, lying or open defiance of the law ; where attempted to be enforced shields him from the temptation of the open saloon but initiates him into the mysteries of the disreputable "joint," the "dive," the grossness of the kitchen bar, the dangers of the "jug," and "bottle" brigade and the drinking club ; when not attempted to be enforced, familiarizes him with open, constant, fragrant violation of the law until he loses all respect for the majesty of the law.

(11.) Professedly designed for the moral regeneration of man ; it throws aside the word of God to take in hand the policeman's club.

(12.) It is based upon a false assumption, presupposing a condition of affairs that does not exist.

(13.) It deprives the country of a large revenue under false pretenses.

(14.) It is unchristian, unjust, unworkable and unnecessary.

*By Rev. Dr. McLeod :*

19135a. What is the good in the traffic to which it offers opposition ?—I will have to go into a very long argument to answer that question, as I could hardly give you a brief one.

19136a. I do not ask it in that way. You say, "Gives free play to all that is evil in the traffic and offers opposition to only that which is good." What is that which is good in the traffic, to which attempted prohibition gives opposition ?—I am speaking here of where it is attempted to be enforced. That which is good driving it into back places, and removes young men from surveillance of older and wiser friends. In a number of ways it does that.

19137a. Then the traffic is of such a character that young men who pursue it need oversight ?—I do not say so, but a young man should not frequent illicit liquor places.

19138a. And frequent what ?—I do not say that he should frequent liquor places any more than he should frequent bowling allies, billiard-rooms and the like. He may frequent them with perfect safety and he may do himself infinite harm.

*By the Chairman :*

19139a. What do you mean by the phrase, "scum of creation" ?—I mean the base informer.

*By Judge McDonald :*

19140a. What do you mean by the phrase, "it is based upon a false assumption, presuming a position of affairs that does not exist" ?—The assumption that a very considerable proportion of the population of this country need a prohibitory law to save them from the dangers of drink.

Rev. Dr. McLEOD :—While the Commission is in open session I desire to have Mr. Carson called. I am not particular whether he is called to-day or some other time. He was heard at one time, here, but I wish him recalled in regard to his observations in Maine.

Judge McDONALD :—I move that there be a sitting of the Commission to consider the question.

The CHAIRMAN :—We cannot take Mr. Carson's evidence to-night.

Judge McDONALD :—I move that we have a sitting to consider the application.

Rev. Dr. McLEOD :—I second the motion.

Motion agreed to.

Mr. KRIBS :—As this is probably the last time I shall appear before the Commission, I desire to thank the members for the unvarying courtesy with which I have been treated during all the time I have been connected with the Commission, and I must say, that I have never received from them anything but the utmost kindness.

The CHAIRMAN :—We have only performed a public duty.

The Commission adjourned.

LOUIS P. KRIBS.

OTTAWA, March 9th, 1894.

The Commission met in the City Hall, Ottawa, at 2 p.m.

*Present :*

Sir JOSEPH HICKSON, Chairman, presiding.

JUDGE McDONALD.

G. A. GIGAULT.

REV. DR. MCLEOD.

E. F. CLARKE.

The Secretary read the Letters Patent appointing the Commission.

THOMAS HEBBLEWHITE, of Almonte, Province of Ontario, having been duly sworn, deposed as follows :—

*By the Chairman :*

19141a. What is your business?—Hardware merchant.

19142a. In what county is your residence?—Lanark.

19143a. How long have you resided there?—About eight years.

19144a. Have you at any time taken an active part in temperance work in the town where you reside?—No very active part. I have made observations, and have always taken an interest in temperance movement.

19145a. May I ask if you are a total abstainer?—Yes, I have been for the past thirty years. Sometimes I have taken alcoholic liquors as a medicine, but outside of that I have been an abstainer for thirty years. When taking it as a medicine, I may have taken it sometimes for two or three years.

19146a. Is there more or less drunkenness in your district now, than there was eight years ago?—I think there is less than there was eight years ago.

19147a. Was the Scott Act in force at any time in your county?—I think the Scott Act was carried in 1885, and it remained in force until 1889. It was repealed on April 5th, 1889, but it may have continued for a certain time after that.

19148a. Did you take any part in the movement made for the adoption of the Act?—No active part.

19149a. Did you vote?—I do not think I did.

19150a. Was the vote in favour of the Act a large one when it was adopted?—There were 768 votes for the Act, and 363 against it, giving a majority of 405 for the Act in the county.

19151a. Do you know Judge Jamieson?—Very well.

19152a. Were you brought into contact with him during the campaign?—I am a member of the same church, the Methodist church, and met him frequently.

19153a. Was he living in Almonte?—Yes, he is now a judge in Guelph. He was living in Almonte until a year ago. I have written a statement of my views which I would like to read to the Commission, as I have put them more briefly than I could have expressed them orally.

The CHAIRMAN :—Is there any objection on the part of any member of the Commission?

No one objecting the witness read the following statement :—

“In view of the grave importance of the subject on which I have the honour to speak before this distinguished body of Royal Commissioners, with your consent, I pur-  
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pose to read my manuscript in order that my views may be expressed in as definite and condensed a form as possible.

"I wish most distinctly to commend very highly the grand work done by the churches, christian people and temperance workers, on the lines of christianization, regeneration, moral suasion, education and total abstinence, recommending it as they do by example and precept. I would especially emphasize the fact that no matter what improved laws are made and enforced in the near future, necessity for continued and increasing vigilance in the above lines of christianization will exist. It is painfully true that intemperance abounds in many forms other than indulgence in intoxicating drink; perhaps not so honest and demonstrative, but just as real and more delusive, subtle, insidious, seductive and degrading; for all of which regeneration is the real remedy, and moral suasion, education and temperance are the most important factors in helping forward the application of this remedy. In proportion as the Christian and temperance people win the children, they will have the men and women, and this is very largely a matter of education. But I reluctantly take objection to the tenacious adherence to and dependence upon the total prohibition remedy. I find on the one hand the appalling evils of the liquor traffic, which evils are most grievously offensive to God and should not be—they are accursed; and away off yonder at the other extreme the total prohibition remedy. Between these two extremes I find practically, a manufacture, sale and use of alcoholic beverages which is not sinful, is not offensive to God, which is not immoral, and which as medicinal beverages are sanctioned by the Supreme Being, in my humble judgment. The best results I claim are attainable by preserving intact that which God approves, and by prohibiting that which is sinful, as in the propagation of our race. In order to obtain the happiest results, all eatables and drinkables should be taken on medicinal principles, and every adult should be his or her own doctor and prescribe for themselves, excepting special cases of sicknesses, of which there should be very few. I shall not do as the infidel does, when he condemns my Bible and exhorts me to abandon it, without submitting a substitute for my consideration. I will, therefore, first beg humbly to propose and elaborate a substitute for total prohibition before I venture to modestly express my views against the total prohibition plough. I believe I have a plough which will turn up a better furrow, and which, from a sense of duty to society, I honestly and humbly submit for the consideration of the Dominion Government, through the medium of the Royal Commissioners, before whom I now have the pleasure and honour to appear. I congratulate the Dominion Government on their judicious appointment of the Royal Commissioners and sincerely hope the happiest results may be attained by their well directed efforts to so great a problem, as that of the appalling evils of the liquor traffic. Permit me to now suggest for consideration what I term INCIDENTAL OR PRACTICAL PROHIBITION of the manufacture, sale and use of intoxicating drinks as a beverage by Dominion Laws. It means the regulation, control and government of the liquor traffic, so as to minimize its abuses and eliminate and overcome its evils so far as can be done without clashing with any Divine principle. Two wrongs do not make one right, neither does the end justify the means. The liberty of the individual to say what he shall eat or drink must always be preserved and protected within the limits of right. Practical prohibition is the creation and enforcement of the following laws applying alike to the whole Dominion.

1st. Prohibit the treating customs as applied to all intoxicating drinks.

2nd. Prohibit the harmful adulterations of all intoxicating drinks.

For these two laws the Government would likely command the gratitude of 90 per cent of the people.

3rd. Prohibit the sale of any intoxicating drink in bar-rooms and saloons, and indemnify the owners for their loss by depreciation of chattels and property.

4th. Prohibit the sale of any intoxicating drink in drug stores except as a medicine, and then by medical prescription only.

5th. Prohibit the sale of intoxicating drink on the Lord's day, except medicinally.

6th. Limit the sale of intoxicating drink to one store to every 5,000 people in cities, and one store only in towns, either by Government, monopoly or high license, subject to such restrictions in detail as may be found best, leaving the manufacturer subject to the law of supply and demand, to sell in original packages only.

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7th. Separate the liquor traffic from other goods, confining the liquor seller to the sale of intoxicating drinks only.

8th. Make drunkenness a crime or penal offence, punishable by graduated fines, imprisonment, and the lash as a final penalty for persistent drunkenness, excepting extreme cases, of which there are comparatively few, where heredity or other causes have already resulted in disease and loss of will, when confinement and proper medical treatment might be substituted.

"The special points of superiority and excellence of practical prohibition as compared with total prohibition are: it preserves the liberty of the individual as a free agent to exercise the God-given-power of will and choice within the limits of right. It is all in harmony with divine principles found in God's government, having a scriptural base, and will consequently produce better results than any remedy which clashes with divine principles. It will be popular with the masses by experience, because of its beneficent services to them, and so the people will use and help to sustain it. Prohibition is not a remedy, but when from God defines what is wrong; the real remedy is regeneration (the root of the evil is in the heart), and to secure its full application the two ears, law and gospel, are indispensable factors. The world is full of sin, although prohibited by the laws of man and God and provided with proper penalties, yet how deplorably prevalent is this sin. The drift and trend of evolution to-day is to direct effort towards the correction of the exterior of man, by improving the condition of heart and intellect, thus clarifying the fountain that the stream may be pure, working from the centre to the circumference and commencing with the little child.

"Total prohibition of the manufacture, sale and use of all intoxicating drinks as a beverage is wrong, because:—

1st. It is intemperate in sentiment, in principle and in practice, and it is a real perpetuation of drunkenness, because it stands in the way of the adoption of practical and effective measures.

2nd. It is a misdirected effort, seeking by legal enactments to put that which is not wrong in itself in the category of crime.

3rd. It unjustly limits the rightful and free exercise of the free agency given by God to man, which is wrong. Free agency is a divine principle.

4th. It would induce law-breakers by multitudes and lessen the dignity of law, and educate people to disrespect and break good laws.

5th. God sees a use for alcoholic beverages which the total prohibitionists utterly ignore.

6th. The people will not use the total prohibition plough, and so it cannot rescue society from pestilential drunkenness.

7th. If the total prohibition of the manufacture, sale and use of all intoxicating drinks as a beverage was made law, by test it would be found practically wrong and also unconstitutional, not having a scriptural base; and its enforcement would be its defeat.

"I sincerely hope and would fain believe, that the Dominion Government will, if necessary, form a coalition with each and all of the Provincial Governments, in order to the creation and vigorous enforcement of such laws and penalties as may be found essential to completely regulate, control and govern the liquor traffic, applying alike to the whole Dominion, and proving to be most effectively helpful in rescuing and elevating society; and that total prohibition will soon be a thing of the past, as will also the appalling evils of the liquor traffic. Why should not the people of our beloved Canada soon be highly distinguished among nations for honesty, sobriety, frugality, chastity, temperance, moderation and a wonderful love of Christianity? I thank God this is possible. Whether we are or not is largely a matter of education in our homes, schools, churches, laws, penalties, and customs of society; all this education should be of such a kind as to help forward the application of heart regeneration, and the enjoyment of that righteousness which exalteth a nation."

I may observe that when the question of repeal was submitted to the county there were 1,097 votes cast for repeal and 234 against, giving a majority for repeal of 863, showing a very decided change in public sentiment.

*By the Chairman :*

19154a. Did Judge Jamieson take an active part in promoting the adoption of the Act?—Yes, he and other friends who were influential in Almonte took part and recommended it as a desirable step to take.

19155a. Did you co-operate with them at all?—I do not recollect that I did.

19156a. What was the effect of the law while it was in force in your county?—At first a great many who were interested in the temperance movement were pleased with it, but after having found by experience the result of it, they changed their views, as shown by the vote in 1889.

19157a. In your opinion had it the effect of reducing drunkenness throughout the county?—In some respects it may have done good, but in other respects I think it did much harm.

19158a. In what respect do you think it did harm?—I think there may have been possibly less liquor drunk, but that which they drank was of a more inferior kind and the drinking was more disreputable.

19159a. In what sense do you mean?—In my store, for instance, I noticed men coming in with flasks in their pockets, and I suppose a man who carries liquor on his person is very likely to take more than if he bought and drunk it by the glass. Another thing I observed also—at least I have been told so by others; I never saw it with my own eyes—that young men were accustomed to take a bottle of liquor with them into the fields on Sabbath evenings and drink it there.

19160a. Do you think the Scott Act led to more drinking in homes than existed under the license systems?—A. Of course, I cannot say much about that. I do not know much about the homes, but certainly I noticed men carrying it on their persons, and my impression is there was just about as much drank. In fact, I think there is less drinking in Almonte to-day than there was during the Scott Act period.

19161a. What is the population of your town?—3,500.

19162a. In your paper, you speak of other matters in regard to which people are intemperate. To what did you particularly refer?—Well, the ramifications of intemperance are very extensive. I referred, for instance, to fornication and the love of money, which is the root of all evil.

19163a. Did the clergy of the county take an active part in bringing about the adoption of the Scott Act?—I think so. I think the most of our clergymen are favourable to the prohibition movement. I think, perhaps, four out of six would be favourable.

19164a. Do they make a distinction between the prohibition movement and the Scott Act?—Well, I think those in favour of prohibition were in favour of the Scott Act also, or any measure that they thought would lead towards total prohibition. I think, perhaps, four of our clergymen were favourable to the Scott Act, and perhaps two might be opposed, or think it an extreme measure, as I do. I regard total prohibition as an extreme measure, and the evils of the liquor traffic are also extreme, just as we see down through the history of the ages that one extreme has been followed by another.

*By Judge McDonald :*

19165a. Did I understand you to say that when the Scott Act came into force the old temperance societies relaxed their efforts?—I do not know that they did; I think they continued in vigour, so far as I have been informed.

19166a. We have been told in some places that, after the Scott Act was enacted, the temperance societies relaxed their efforts. That does not seem to have been the case in Almonte?—I do not think so. I think they were as vigilant as before.

19167a. You have mentioned in your very valuable paper, as one of the points for which you would have preventative legislation, the sale of liquor as a beverage in drug stores?—Yes; except for medicinal purposes.

19168a. At the time the Scott Act was in force in your county, had you any difficulty in regard to liquor being sold in drug stores, for beverage purposes?—I think it was sold in drug stores.

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19169a. Have you reason to believe that that state of things exists now?—I really don't know. I have not thought of the matter lately. My impression is that it does not exist now to any great extent.

19170a. Were the drug stores, in which the sale was supposed to take place during the time the Scott Act was in force, stores that had what they call a Scott Act license?—Really I cannot say as to that. I used to hear complaints made to that effect by the temperance people.

*By the Chairman :*

19171a. Had you any place authorized to sell during the Scott Act period?—I think drug stores were allowed to sell in a limited quantity, so many ounces at one time, and then by medical certificate, but it could not be sold by the bottle, according to law.

*By Judge McDonald :*

19172a. I find according to the figures you gave us that the vote in favour of the Act when it was carried was something over two to one?—Yes.

19173a. And when it was repealed, it was something more than four to one?—There was a very decided change.

19174a. Did the Act operate as an educator in your county?—I think that it induced a good deal of false swearing; and I think that was very bad, because it lessens the dignity of law in the minds of the people. When men give way to taking a false oath in a liquor case, they are liable to continue on in that line. One of our judges, in conversation with me some time ago, told me that he still sees the effects of the false swearing which people then indulged in, in other cases that now come before him.

19175a. Judged by the vote in favour of the Act when it was adopted and the subsequent vote against it, do you think that the educative effect of the Act in your county was to make people favour prohibition by law?—When the Act was passed it was recommended by Mr. Jamieson and others, who were desirous of seeing something done that would diminish intemperance; but after it was carried, they found out that it did not have the effect they expected, that a great deal of liquor was drunk contrary to law; and a great many of those people voted against the Act on repeal.

19176a. Do you think the effect of the Act on the minds of the people was favourable to the prohibitory principle?—I think as far as the temperance workers were concerned, that they did not relax their efforts at all.

19177a. Did they do it for the purpose of keeping the Act in force, or did they relax their interest in the Act?—I think, the societies kept up their meetings, but they might have been more vigilant, perhaps, in regard to enforcing the law.

19178a. When the repeal vote came on, did these societies which had promoted the Act show equal earnestness in trying to keep it on the Statute-book?—I fancy they had got somewhat discouraged and saw that it was impossible to accomplish very much good by the Scott Act.

19179a. Has there been any effort made since, to vote on the Scott Act again?—The plebiscite was taken but no other vote has been taken on the Scott Act.

*By the Chairman :*

19180a. Was the effect of the Scott Act being in force four years in the County of Lanark, to create a stronger feeling in favour of prohibition or otherwise?—I think that the active workers in the temperance cause, as a rule, are just as strongly in favour of prohibition as they ever were.

19181a. I am speaking of the effect on the community?—That is rather a difficult thing for me to gauge.

19182a. But you may have an opinion in regard to it?—I think the active temperance workers were just as strongly in favour of prohibition after the Act was repealed as they were before, but probably those who were not so actively interested may not have been.



19183a. Then how do you explain the much larger vote against the Scott Act in the second instance than in the first instance?—Just because a great many persons who were not active workers in the temperance cause but who supported the Act at first, became convinced that while it did some good, it did much harm.

19184a. Would not that indicate that the sentiment in favour of prohibition at a later period was weaker than it was at a former period?—Yes, so far as those outside the temperance movement were concerned.

19185a. I am speaking of the whole population?—It would be difficult for me just to gauge that influence enough in my own mind to express an opinion.

19186a. What inference do you think should be drawn from the fact that after the Act had been in force four years, a so much larger vote was cast against it than there was in favour of it on the first occasion?—Well, there are certain individuals who say they would rather have prohibition than the Scott Act. There are some who are not active workers in the temperance cause who take that position.

19187a. Do you think the experience of the Scott Act for four years in the County of Lanark had an educative effect in that direction?—It is difficult for me to answer that question as definitely as I would like.

*By Judge McDonald :*

19188a. On the occasion of the recent plebiscite, was the majority in the County of Lanark in favour of prohibition?—I find from one of the local papers that in the town of Almonte there was a majority of eighty-two for prohibition. I am not aware what the majority was in the county.

*By Rev. Dr. McLeod :*

19189a. Do you know whether there was as large a majority for prohibition as there was for the repeal of the Scott Act?—I do not remember the figures.

*By Judge McDonald :*

19190a. Taking the majority against the Scott Act and the majority in favour of prohibition as shown by the plebiscite, do you take it as an indication that, though the people did not like the Scott Act, they were willing to try some form of prohibition?—Well, a great many regarded the plebiscite with contempt and did not report upon it.

19191a. Was there a large vote unpolled?—Not so large in the town of Almonte as in the whole province. You are aware that only one-third of the whole number of voters in the province reported on the plebiscite. But there was a larger proportion than that reported in Almonte.

19192a. You have said that one of the things which you would promote is limiting the sale of liquor to one place?—To one place in towns, and I suggested one place to every 5,000 inhabitants.

19193a. Have you thought at all of the desirability of doing away with the inducement to private profit in the sale of liquor?—Yes. That is why I suggested either high license or making the sale a Government monopoly, whichever might be found just, on due consideration.

19194a. You would remove from the vendor the inducement to sell by reason of making large profits, and you would have the profit go to the Government?—Either that or high license, whichever would bring the best results.

19195a. But if the individual who paid the high license got all the profit he would have an inducement to sell as much as he possibly could?—No doubt.

19196a. Would you promote a scheme by which the inducement to sell large quantities would be taken away from the individual, by removing from him any profit from the sale and giving the profit either to the Government or to the community? Is that what you mean?—I have thought on the subject, but there are so many considerations on both sides that it would take a long while to explain them.

19197a. In case of the enactment of a law prohibiting the manufacture of liquor, would you deem it right that brewers and distillers should be remunerated for their plant

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and machinery rendered useless?—Of course, in my suggestions I proposed to leave the manufacture, but in case of the law prohibiting the manufacture, I think it would be a Christian act to remunerate the brewers and distillers. But at the same, time I do not see how it is possible for the Government to undertake such a thing.

19198a. Well, it is asked for, as you know?—I think it is really impracticable. As regards retailers, the indemnification would be only a trifling matter. In many instances their property would not be depreciated, and while I think they have no legal claim for compensation, yet I think it would be a Christian act to do it.

*By the Chairman :*

19199a. Then you think the compensation to be paid to brewers and distillers would amount to so large a sum that the Government could not undertake it. Is that your position?—Yes.

19200a. But would the fact of the inability of the Government to do that which was right be a sufficient justification for doing what was wrong, in taking these peoples' property without compensation?—So far as I am concerned I would leave the manufacture subject to the law of supply and demand, and get rid of the difficulty in that way.

Rev. Dr. McLEOD:—Before asking the witness any questions, I wish to raise a point. I have no objection myself to accepting his paper in its entirety, but the point I wish to raise is this, whether it is not in the shape of a platform speech such as certain members of the Commission have objected to hitherto.

The CHAIRMAN:—Are you asking a question that you wish to have answered by me?

Rev. Dr. McLEOD:—I would like the Commission to say whether they consider this is an argument, or whether it may be considered as a platform speech.

The CHAIRMAN:—We agreed to hear it, I believe, but if any of the Commissioners object to it, of course they will say so. Gentlemen, do you object to this paper?

Rev. Dr. McLEOD:—I have no objection myself.

The CHAIRMAN:—I do not quite understand why the point is raised at all, if you have no objection. As no one has raised any objection, there is nothing before the chair.

Rev. Dr. McLEOD:—I wish to make my point clear. Objection has been made again and again to statements by witnesses, because they were regarded as platform speeches. Now, my understanding of this paper may be wrong, but I take it to be the argument of a gentleman who has a theory, and who has a perfect right to have a theory, and who has elaborated it at great length, and he has done so in the form of a platform speech, a thing to which I do not object at all, but to which the Commission has hitherto objected; and I wished to know whether they objected in this case.

The CHAIRMAN.—No. It is perfectly clear that they do not object. I do not see the object of your question. If any of the other Commissioners have any objection, I beg them to state it now.

Rev. Dr. McLEOD.—I wanted it to go into the record, if I am too dull to make myself understood—that I regard the paper put by this witness as of a character such as has hitherto been objected to by the Commission, although not by myself.

The CHAIRMAN.—Well, you have made your statement and it will go on the record.

*By Rev. Dr. McLeod :*

19201a. Have you any licensed liquor stores in Almonte?—Yes, we have five bar-rooms.

19202a. How many illicit places had you under the Scott Act?—That is more than I can tell.

19203a. You do not know anything about it?—I am satisfied, without any personal knowledge of it, that there were a number.

19204a. Were bar-rooms and saloons carried on in Almonte, under the Scott Act, as they are carried on now?—Very much the same. Of course they were fined, now and again.

19205a. Were they carried on with the same publicity?—Yes, for a good deal of the time.

19206a. By the same people, I suppose?—By the same people. Of course, at first the Scott Act had the effect of checking selling in bars, but after a while it became an open thing. But they were fined, now and again, for it.

19207a. Were the people who sold in defiance of the Scott Act the people who have licenses now?—I think so, in every case.

19208a. That is to say the men who defied the law and the will of the people of Almonte, have been given authority to do under the law what they did against the law?—They hold licenses now.

19209a. What class of men hold licenses now in Almonte? Are they good citizens, reputable citizens?—In comparison with other men in that line of business, I think they are favourably regarded by all classes of society.

19210a. Then you clearly regard them as amongst your reputable citizens, although under the Scott Act they were persistent violators of the law?—I think it was wrong to violate the law; but still they did it.

19211a. But the licensees still violate the law?—I think so.

*By the Chairman:*

19212a. In what respect?—By selling after hours.

*By Rev. Dr. McLeod:*

19213a. They sell during improper hours and on the Lord's day?—That is my impression. I am not able to prove this, but that is my impression.

19214a. Do they sell to minors?—I cannot say about minors.

19215a. To drunken men?—I don't know about that.

19216a. I suppose they only sell to men until they get drunk, and then stop?—I really do not know. I did not see any evidence of drunkenness on the Lord's day, but I understood men can get liquor on the Lord's day.

19217a. I want to get at facts. You say that under the Scott Act those men sold liquor in spite of the law?—They openly violated the law.

19218a. Now, the Scott Act having been repealed, these men have been given licenses to sell during certain hours and to certain persons?—Yes.

19219a. But they sell to somebody else to whom they have no right to sell, and they sell during prohibited hours. Is that what you mean to say?—Well, I am inclined to that view.

19220a. They are not amongst your reputable citizens then?—Well, certainly, in that sense they are not.

19221a. Then, do you prefer license to even the imperfect prohibition of the Scott Act?—As you notice in my paper, I say either by high license or Government monopoly. But there is so much to be said on that line, that I am really not decided myself as to which would produce the better results. I think the traffic should be limited to only one place in the town of Almonte, where liquor could be sold according to law, except for medicinal purposes.

19222a. Supposing your theory were adopted, and that only one person was allowed to sell in Almonte, do you think the other people who have licenses now, would observe that law any more than they did the Scott Act?—Of course that would depend. Supposing the man who sold liquor had to pay a high license, he would be likely to know if it were sold in any other place.

19223a. Have you ever lived in a place where there was high license?—No. But I have heard reports of the working of the system from those who have seen it in operation.

19224a. What is the fee paid by licensees in your town?—I think it is somewhere in the neighbourhood of \$200.

19225a. Would not that be quite a high license for a small place, where the patronage cannot be large?—Since you have asked me those questions, I may say that a friend of mine who had lived some months in a town in California, recuperating his health, told me he found there was only one place where liquor was sold, and the man paid \$2,000 a year for his license, \$500 every three months. He said to that man: "How do you

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know that other people are not selling liquor besides yourself?" He answered, "I know no one else is selling. Do you think I am going to pay \$2,000 a year for a license and let other parties sell?"

*By the Chairman :*

19226a. What was the population of that place?—I do not know. I cannot remember the name of the town now.

*By Rev. Dr. McLeod :*

19227a. Since you advocate high licence, can you tell us what are the peculiar virtues of that system?—That is one point in its favour, that if a man pays a high license he would be vigilant in seeing that others do not sell contrary to law, in order to protect himself.

19228a. Would this be true also, that seeing he pays so high a license, he will push the business so that he may be able to pay his high license and have a large profit as well?—Well, if the business all had to come to him he would not need to push it.

19229a. Will it make any difference whether you have one selling or five selling as to the quantity of liquor that will be sold?—I suppose if the temptation is spread around more people would come under it, but if it is concentrated to any one place, and carried on under rigid regulations in a very public place, so that whenever any one goes there it is understood what he goes there for, I do not think the temptation would be so great.

19230a. Have you knowledge of any licensee who steadily observes the prohibitions of the license law?—Not any personal knowledge. I have occasionally heard that they do not, but I have no personal knowledge of it. I think they are exceptional cases who do observe it.

19231a. So there is no guarantee that, even if you had one person with a high license, he would observe the provisions of the law?—There is a great difference. When there are a number licensed, they are in competition with each other. One of the hotel-keepers told me that when the Scott Act was introduced, he stopped selling liquors "but," said he, "I found after a while that my competitors were selling contrary to law. I object to sell liquor on Sunday, and I kept the law and refused to sell on Sunday for some time, but one Sunday two or three customers of mine came in and called for a glass of beer and I said :—'No, I do not open my bar on Sunday.' 'Oh, well, we can get it some where else, that is all. If we cannot get any here on Sunday we cannot on Monday.' And so I lost them altogether." When there are several they are in competition with one another, but when there is only one he is perfectly independent.

19232a. The repeal of the Scott Act was I suppose an expression of dissatisfaction with the Scott Act?—Yes.

19233a. Was it an expression of dissatisfaction with prohibition?—Of course that is very difficult to say.

19234a. At any rate they were dissatisfied with the law?—Yes, as it was then.

19235a. Do you regard the vote on prohibition on the 1st of January last as an expression of opinion favourable to general prohibition?—In reference to the plebiscite I think it is a political expedient in Ontario, and that there is undue importance attached to it. I think it is very much over estimated because I find that only about one-third of the population reported. The prohibition movement had been boomed by the pulpit, the religious press and the platform, and I take it for granted that their friends reported largely on the question. Still when you view it in that light, one is surprised at the majority not being larger and it seemed to me that the great majority of the people in the province treated the matter with contempt. I think that undue importance is attached to that vote.

19236a. You think that prohibition was boomed by the press, the pulpit and the platform and other religious and moral organizations?—I think it was boomed just the same as Winnipeg real estate was boomed, until almost every one who had money invested in real estate there. I find in those matters that, although the booming went on, only one-third of the electors reported.

19237a. Do you think the majority was attributable to that booming?—I think it had much to do with it.

19238a. Did the pulpit, the platform, the press and the moral and religious organizations boom the repeal of the Scott Act?—No.

19239a. What class of people boomed that?—I think it was a change in public sentiment in regard to the Scott Act. A great many people accepted it in the first place in the hope that it would check intemperance.

19240a. You seem to object to a boom in the one case, did you object to the boom in the other case?—I think, in regard to the Scott Act, that while it did some good, it did much harm. In reference to the plebiscite, of course I paid very little attention to it. I am of the opinion of Sir John A. Macdonald, when interviewed by a temperance delegation who asked him, "When are you going to give us prohibition, Sir John?" "When you want it," was the answer. "Well, we want it now, Sir John." "Then say so." "How shall we say so?" "By sending prohibition members to Parliament." I think that is what it amounts to. But really, so far as I am concerned, I took very little notice of the plebiscite.

19241a. You say you are a member of the Methodist church?—Yes.

19242a. Do you know what the Methodist church, as such, believes and declares on this question?—I know the Methodist church is strongly in favour of the prohibition movement.

19243a. Then, when you said that four out of six ministers in Almonte were favourable to prohibition, you did not mean that they were all ministers of the Methodist church?—Ministers of the Methodist church are all favourable to prohibition in the town of Almonte. I think a larger proportion than that of the Methodist ministers throughout the country are in favour of prohibition. I would imagine so, although there are some who are very much like myself, although it is difficult for them to express their views in the same way, because the moment a man says anything against prohibition, people say, "Oh, he is with the liquor traffic."

19244a. It takes a little courage then?—I think it takes a great deal of courage.

19245a. You would perhaps agree with Professor Goldwin Smith, who stated before the Commission that people, by a sort of moral crusade were dragooned into voting for prohibition?—I do not think that, but I do not blame clergymen who are unwilling to express their views against prohibition movements. There have been times in my business experience when I would not feel at liberty to express myself as I do to-day on account of the probable effects upon my business. I am speaking to-day in the interests of society whether I am right or wrong; I have no other object.

19246a. You sought an opportunity to give evidence before the Commission—it was your right, of course?—No, I was invited by a friend.

*By the Chairman :*

19247a. Allow me a word there. You came to see me in Montreal?—Yes.

19248a. You brought a letter of introduction to me?—Yes.

19249a. You expressed a desire to give evidence before the Commission?—Well, it amounted to that.

19250a. We are now giving you the opportunity?—Yes, that is correct.

*By Rev. Dr. McLeod :*

19251a. In this paper you make a statement that liquors are sometimes required for medicinal purposes. Do you know whether it was ever suggested that the sale of liquor for medicinal purposes should be prohibited?—I think I may have been misunderstood in that statement. For instance, when I take milk, or tea or coffee, I do it on medicinal principles and I take my food in the same way, and I think it should be the same in regard to liquor.

19252a. You speak of prohibition as though it was designed to prohibit even the manufacture and importation of liquor for medicinal purposes?—No; I am well aware that is not the design. In speaking as I do in this paper, I had in mind the view of prohibitionists, that it should only be taken for medicinal purposes by medical prescription. I say that we should take all our eatables and drinkables on medicinal principles.

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19253a. Do you think licensed sellers are necessary for that purpose?—I do not know any better suggestion than I have made.

19254a. You evidently believe in a large measure of prohibition?—Certainly.

*By the Chairman :*

19255a. Do you call it prohibition or regulation?—I call it practical prohibition, prohibiting, as far as it can be done, without interfering with the personal rights which God has given to men as free agents.

*By Rev. Dr. McLeod :*

19256a. You distinguish between prohibition and what you call incidental or practical prohibition?—Yes; or modified prohibition. I do not know any better term to use.

19257a. Your prohibition means regulation and Governmental control of the liquor traffic, so as to minimize its evils as far as that can be done without clashing with any divine principle?—Yes. I believe that is within the range of possibility, and would result in far greater good than those other extreme measures.

19258a. You go on to state in detail your objections to the treating custom; you would prohibit the sale of intoxicating drink in bar-rooms; you would prohibit any drug stores selling such, excepting as a medicine; you would prohibit the sale of intoxicating drink on the Lord's Day. I suppose these are all advanced suggestions, are they not?—They would involve a radical change of the present system.

19259a. Are you acquainted with the present license law of Ontario?—Not specially so. I have studied this question from a scriptural and Christian standpoint. I am not competent to speak of it from a scientific point of view.

19260a. I judged you were not particularly acquainted with the license law of Ontario, because, about everything that you suggest here in the way of prohibition, except utter annihilation of the sale of liquor in bar-rooms, is already embodied in the license law of Ontario, and a good many other provisions besides. So that a license law in Ontario, as it exists to-day, goes, in many respects, even further than your theory?—Yes.

19261a. You say in your paper: "The special points of superiority and excellence of practical prohibition as compared with total prohibition are: 'It preserves the liberty of the individual, as a free agent, to exercise the God-given power of will and choice within the limits of right. It is all in harmony with divine principles found in God's government, having a scriptural base, and will, consequently, produce better results than any remedy which clashes with divine principles.'" You want to preserve "the liberty of the individual, as a free agent, to exercise the God-given power of will and choice within the limits of right." Who is to determine what are the limits of right, the individual, or Mr. Hebblewhite, or is that the mission of some Legislative body?—I think a man has a good right to say what he shall eat and drink within the limits of right; that is to say, if he abuses himself, and has a knowledge that he is doing so, then self-abuse becomes sin; knowing and wilful self-abuse is sin, and that is going beyond the limits of right.

19262a. Who is to be the judge?—I find myself quite competent to judge for myself on a question of that kind.

19263a. But you would not judge for another?—No.

19264a. Would you allow that other man to judge for himself?—Of course, within the limits of right.

19265a. You speak here of the appalling evils of the liquor traffic. You have noticed them, have you?—Certainly.

19266a. What are they? You need not state them in detail?—I think we are both agreed as to the nature of them. I think they are appalling evils, much more so in some other countries than in Canada.

19267a. This question grows out of that—Do you see any relation between the drink traffic as it has been carried on in this country all these years, and these appalling evils which you deplore and which you desire to minimize and overcome?—Most cer-

tainly. That is why I ask that the traffic be curtailed so that the temptation may be removed out of the way of the people, so far as that may be done without interfering with individual rights. Perhaps I may be allowed to give an illustration. Take Japan and China. People in China are addicted to self abuse by the use of opium. In Japan, whose people are in some respects kindred with those of China, they do not suffer from that cause simply because they are educated differently although they use opium in both countries. And then take Iceland, they are distinguished among the nations I am told for their sobriety and honesty and yet their importations amount to 448,000 quarts of various kinds of liquor in a year, and 109,000 pounds of tobacco. The Rev. Dr. Talmage says in one of his sermons that in travelling through the Highlands he never once saw a drunken man although alcoholic beverages are used very commonly. I say in face of these examples, it is within the range of possibility to have a sober people without prohibition.

19268a. You say then that the system which prevails in these countries is greatly preferable to ours because their people are distinguished by sobriety?—I have stated the fact. I do not think that the same system would do for us, because in Japan for instance, they have passed very severe laws, and if a man takes opium without a medical certificate he is punished with, I think, three lashes for the first offence and two years imprisonment. In Canada we could not be so severe as that, people would not stand it. But at the same time such penalties could be applied in the enforcement of the laws I have suggested, as would bring about happy results and distinguish us as a nation for sobriety. I think total prohibition would never succeed in doing that.

19269a. The appalling evils to which you refer, I suppose, exist in Canada?—I am referring to Canada entirely.

19270a. And these are attributable to the liquor traffic as it is carried on here?—Yes.

*By the Chairman :*

19271a. You do not mean that all the evils of intemperance in the country are attributable to the liquor traffic?—Oh, dear, no. I hold that a very small portion of the intemperance in Canada is attributable to the liquor traffic.

*By Rev. Dr. McLeod :*

19272a. Still you believe that there are appalling evils attributable to the liquor traffic in Canada?—Yes.

19273a. And you are anxious that a system shall be inaugurated which shall minimize these evils?—And preserve the liberties of the people besides.

19274a. These evils flow from the excessive consumption of liquor?—Certainly.

19275a. Now, you are aware that the consumption of liquors is less per capita in Canada than in any other country on the face of the earth?—I know that in Canada they pay less than \$6 per head for liquor, whereas in the United States I think the cost per head is double that sum, and in England still more. There is another thing. Germany perhaps consumes more beer than any other country according to population, and yet no people rank higher both in brain and in muscle.

19276a. Supposing a German was to drink as much tea as he does beer, how long would he live?—He would not live very long.

19277a. That is a little aside of the subject. You say that the evils of the drink traffic in Canada are appalling?—Yes, I do say so.

19278a. So appalling that they demand a remedy?—Yes.

19279a. And still you say these other nations you mention, which are distinguished for sobriety, consume even more liquor per capita than Canada?—No, I do not say that they do in Japan, nor in Iceland, but they do in the United States.

19280a. Iceland is scarcely one of the great nations of the earth?—Nevertheless they are distinguished for sobriety amongst the nations, and for chastity and honesty. Yet they consume large quantities of liquor, as shown by the figures I gave you.

19281a. The query in my mind is whether, if there are such appalling evils in Canada with such a small consumption of liquor, your system will minimize these evils?—That is a matter of opinion.

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*By Mr. Clarke :*

19282a. In those countries where there is a large consumption per capita, is there any movement towards complete prohibition of the liquor traffic?—In the United States there is a movement, as you are aware.

19283a. Where does it exist?—Some of the States, as you are aware, have prohibitory laws in force now.

19284a. Have Germany, England and France?—In Germany I do not know that they have prohibition, as I call it. For instance, the traffic is prohibited on the Lord's day. Then, besides, the quality of the liquor is carefully looked after.

19285a. Do you know any country where the manufacture, importation and sale of liquor is prohibited?—I do not. I have reason to believe there are such, but I cannot mention any at the present moment.

19286a. You told us about some of the evils that followed the adoption of the Scott Act, and you also said it did some good. Will you tell us what good it did?—I say it may have done some good.

19287a. But you are satisfied that it did some evil?—I think that class of legislation, local legislation, does more harm than good.

19288a. Now, under the Scott Act the trade was rendered illegal. Was it a good thing to delegalize the trade?—I think the traffic, as it is carried on, more demoralizing than it was under the Scott Act.

19289a. The trade was demoralizing under the Scott Act; was that a good condition of things?—No, because I think that the sale of drink went on while it was contrary to law, and I think that is very demoralizing and does much harm.

19290a. Is the license system which exists to-day in Almonte preferable to the system that existed when the Scott Act was in force?—I think that there is less disreputable drinking going on now than there was.

19291a. Is the present condition preferable to the condition that existed under the Scott Act?—I think for the last few years it is. Perhaps at the beginning when the Scott Act was enforced for a while, it may have been the other way.

19292a. Who enforced it after it became law?—The authorities. Instead of saying that it was enforced for a while I should have said when it was first introduced.

19293a. Was it ever enforced?—Not properly, but when it was first introduced I think it put a check to drinking for a while.

19294a. But was there a relaxation of effort on the part of the officers of the law shortly after the law came into force?—At first I think some of the liquor sellers tried to keep the law and intended to keep it, but when they found others were breaking it they felt they had to do the same thing, and finally the sale became general although a fine was imposed now and again.

19295a. Was that a better system than the license system?—I think it was worse.

19296a. Now, with regard to the number of places selling under the Scott Act and the number of licenses in Almonte to-day, how do they compare?—Well, I never interested myself during the Scott Act period to find out the number of places selling. I am satisfied it was done, for parties were brought up now and again.

19297a. Is there more drunkenness now in Almonte than during this Scott Act period?—I do not think so.

19298a. Is there less?—Well, I doubt if there is; but I do not want to mislead you on that point because I think it is perhaps owing to the scarcity of money. People have not the money to spend.

19299a. Now, has the Scott Act been an educator in any respect?—I think it educated quite a number to disregard the laws. I think that was the tendency in a great many cases.

19300a. Did it educate many persons to commit perjury?—Yes, I think so. There was a good deal of it done.

19301a. What would be the moral effect upon the community of having a law flagrantly and openly violated from one end of the year to the other?—Just as it would be in the case of total prohibition. I think it would have a very bad effect.



19302a. Your proposition is to limit the number of places where liquor is sold and to close up saloons and bar-rooms?—Yes, and to allow nothing else to be sold in the place but alcoholic beverages.

19330a. If there was a place where liquor could be obtained such as you suggest, would there be as many violations of the law as there were during the Scott Act?—I think not. I have inquired of some of the hotel-keepers in regard to that. I asked one of them, "Would you rather take total prohibition as it is asked for by the Alliance, or would you rather have such a measure as I propose?" And he said they would rather take prohibition because they would sell more liquor.

19304a. Did the experience the people of your county had with the Scott Act tend to confirm the prohibition sentiment or did it tend to strengthen the hands of the temperance workers?—As I observed before, I think the temperance workers are as vigilant as ever, I do not think it daunted them at all when the Scott Act was repealed, but I think it had an opposite influence on the minds of those who were not so continually engaged in temperance work.

19305a. What was the effect on the community generally? Did the experience that the people of Almonte and Lanark had of the Scott Act tend to push forward the movement in favour of the total abolition of the traffic?—I really could not answer the question to my own satisfaction.

*By the Chairman :*

19306a. Have you any opinion upon it?—I hear so many people saying, some one thing and some another, that it is really difficult for me to give an opinion. Probably in thinking it over a little more I might be able to give an opinion, but I cannot just now.

*By Mr. Clarke :*

19307a. I think you said you looked upon this plebiscite as perfectly harmless and meaning nothing practically?—It means very little, in my estimation.

19308a. You spoke of a place in California where high license prevailed; was Pasadena the name of the place?—I do not think that was the name.

19309a. Is there any desire on the part of the community in Almonte to have the Scott Act reintroduced?—I do not think there is. There may be a few who would like to see it reintroduced, but they are under the impression that it checked drinking more than it really did. The parties who take that view were very earnest in favour of the prohibition movement, and were not aware of the amount of liquor that was sold by some parties, which was known outside, and which I have a knowledge of from a good source.

19310a. Is there a larger number of licenses in Almonte now than before the Scott Act?—I think just the same number.

19311a. What did you say was the majority in Almonte in favour of prohibition on the plebiscite vote?—84, I think.

19312a. Has the town council power to submit the question of a reduction of the number of licenses to the people?—They cannot increase the number beyond what it now is.

19313a. Since there was a majority of 84 for prohibition on the plebiscite vote, has there been any combined effort made since to induce the council to submit to the people the question of reducing the number of licenses?—I think it has been spoken of.

19314a. Has anything been done to that end?—No.

19315a. How many years is it since the Scott Act was repealed?—It was repealed in 1889.

19316a. For the last ten years has there been any movement on the part of the council to reduce the number of licenses?—It has been spoken of, but no action has been taken.

19317a. Was there a majority of all the votes in the town of Almonte cast in favour of prohibition on the plebiscite?—There is a total number of 1,614 votes, and 448 votes altogether were polled. There were in favour of prohibition 225 males and 41 females.

THOMAS HEBBLEWHITE.

19318a. Has there been any movement to increase the license fees since that vote?  
—I think not.

19319a. And there has been no movement made to reduce the number of licenses?  
—No.

*By Mr. Gigault :*

19320a. Do you believe that the Bible condemns the moderate and legitimate use of wine?—No, not the moderate use, I believe the Bible condemns known and wilful abuse of all kinds, but sanctions the use of alcoholic drinks. That is my humble judgment after a good deal of careful study in my humble way.

19321a. In your opinion, when the Bible speaks of wine does it mean fermented or unfermented wine?—Sometimes one and sometimes the other. I have some memoranda on that point which I can go into if you wish.

19322a. Do you think it wise to enact a law which will condemn as immoral an act which is not immoral according to the divine law?—I say that to pass a prohibitory law puts in the category of crime that which it is right to do.

19323a. If a person uses liquors moderately, can he be a communicant of the Methodist church?—Well, a great many do use it on the principles I lay down in my paper as governing the use of eatables and drinkables.

*By the Chairman :*

19324a. My colleague asks you what the practice of the church is?—I think a majority of the Methodist people abstain. There are some clergymen who do not and some members who do not.

*By Mr. Clarke :*

19325a. Is church membership restricted to total abstainers?—No, I do not consider it is, although of course total abstinence is recommended.

19326a. But do you understand that the rule of the church is to exclude from the communion those who are not total abstainers?—It does not exclude those who are not abstainers, as I understand it. Of course it would exclude those who buy and sell, if the rules were fully applied.

*By Rev. Dr. McLeod :*

19327a. Did I understand you to say that there are Methodist ministers who use intoxicants as a beverage?—I did not say as a beverage, but they use it as they do coffee, or milk or water.

19328a. As a medicine or as a beverage?—Well, these are beverages.

19329a. You distinguish between taking it as a medicine and taking it as a beverage?—I think that the way temperance people use that word "beverage" is very misleading.

*By the Chairman :*

19330a. You say, using it as tea and coffee are used?—I think there are some who use it in that way, as they do tea, coffee, or lemonade, and I call those beverages.

*By Rev. Dr. McLeod :*

19331a. Do we understand you to say that there are Methodist ministers who use intoxicating liquors in any other way than as a medicine?—I do not know that there are.

*By the Chairman :*

19332a. Did you say that there are Methodist ministers who use it as tea and coffee are used?—Yes, as a drink, I think so.

*By Judge McDonald :*

19333a. What distinction do you make between drink and beverage?—Tea, coffee, beer, a glass of whisky or lemonade, I call beverages, and I think that the way that the temperance people speak of beverages is very misleading. I think that the use of these beverages is allowable in the sight of God, and should be in the sight of man

within the limits of right, and that those who are benefited by them have a right to take them. Those who find they are not, should leave them alone.

19334a. What you mean to say is that there are Methodist ministers who, to your knowledge, take wine and beer and things of that kind in the same way they would take milk and tea and coffee?—Yes, on medicinal principles, not merely for the sake of drinking.

19335a. But, do these men take milk and tea on medicinal principles?—I presume so.

19336a. Then you put them on the same footing?—Yes, I presume so. I want to make this distinction. I do not say there are Methodist clergymen who would take a glass of beer, whether they wanted it or not, the same as ordinary drinkers do.

*By Rev. Dr. McLeod :*

19337a. The question I asked you was this, do you know that there are Methodist ministers who take intoxicants other than as a medicine?—I cannot say that I do.

19338a. In your answers to these questions, we gather that you take your tea, or milk, or bread and butter, your food of all kinds for medicinal purposes on medicinal principles?—I try to do that.

*By Judge McDonald :*

19339a. Do you mean to say these men only take it on a doctor's certificate?—I think there are Methodist clergymen who do not take it on a doctor's certificate, but who do take it most certainly.

*By Mr. Clarke :*

19340a. Do they take it as part of their food?—Well, on medicinal principles—for the benefit which they derive medicinally. As a person takes food for the purpose of nourishment, so they take liquor or beer for that purpose, or when they are ill, for the purpose of making them well?—I suppose for these definite purposes. Some people take it for one cause, and some for another.

*By Rev. Dr. McLeod :*

19341a. Another question—because if the impression should go abroad that Methodist ministers are other than abstainers, it would be a denial of the record. Do you know one Methodist minister who is not a total abstainer in the clear understanding of that term?—Not from my own standpoint. From the standpoint of some temperance people, it would, perhaps, be different.

19342a. Are there any illicit liquor sellers in Almonte to-day?—I cannot say.

19343a. All you know is that the licensees do sell illicitly?—I do not say that from my own personal knowledge. I know it is the general impression that liquor is sold after hours.

*By the Chairman :*

19344a. How many licensed places are there in Almonte?—Five.

19345a. Are they all breaking the law?—It is my impression they do.

19346a. But you do not know of your own knowledge?—No; but that is the general feeling.

19347a. You were questioned as to the character of the men engaged in the liquor trade in Almonte? Are they men who would be trusted by tradesmen in the place to pay their debts?—Yes.

19348a. Would their oath be accepted in a court of law?—I think so.

19349a. Have any of them been convicted of theft?—Not that I know of.

*By Rev. Dr. McLeod :*

19350a. Yet they are the men who violated the Scott Act?—Yes.

*By the Chairman :*

19351a. Are you quite sure the whole five violated the law under the Scott Act—I must remind you that you are giving evidence on oath?—I do not say that I am quite sure. I think they were all fined, but one, for breaking the Scott Act. Four of them were fined at different times, but I fancy one man escaped. I do not think he had his license; at least, I think he ran a hotel only part of the time.

THOMAS HEBBLEWHITE.

GEORGE COX, Mayor of Ottawa, having been duly sworn, deposed as follows :—

*By the Chairman :*

19352a. How long have you held the office of mayor?—Since the beginning of the year.

19353a. Were you connected with the administration of the affairs of the city before that?—I was alderman for ten years.

19354a. How long have you resided in Ottawa?—Somewhere about thirty-five years.

19355a. Do you think that drunkenness is more prevalent now than it was ten or fifteen years ago?—Not by any means.

19356a. You think there is an improvement?—A vast improvement.

19357a. Do you think as much liquor is consumed now as ten years ago?—That I am not in a position to say.

19358a. Is the general use of liquor as prevalent now as it was ten years ago?—I think it is. I am not in a position to know much about that, because I am not in that position myself.

19359a. May I ask you if you are a total abstainer?—No; I am not. I may say that I am a total abstainer, but not a teetotaler. I am not a member of any association—that is what I mean.

19360a. Is crime as prevalent in the city as it was ten or fifteen years ago?—I think not. Even allowing for the increased population, I do not think crime is very prevalent in the city.

19361a. Does the Chief of Police lay a report before you annually?—Yes.

19362a. Is it printed for the past year?—Not yet, but it will be.

19363a. Would you be so kind as to direct that we be supplied with the report for the last ten years?—I will do so.

19364a. You were in Ottawa, I presume, during the period the Scott Act was in force in the County of Carleton?—Yes.

19365a. Did the Scott Act in Carleton have a tendency to increase drunkenness in the city or decrease it?—It did not seem to have any effect, to my notice.

19366a. You had not an influx of visitors from the county seeking to purchase liquor in the city?—That I cannot say, I am not in the liquor business. Liquor men may have sold more liquor to people to take home with them, but I am not able to say.

19367a. It has been said that there were many cases of farmers and others seen driving into the country in a state of intoxication during the Scott Act period; I thought you might have some knowledge of that?—I have none, I think such cases are very rare.

19368a. Have you given any consideration to the question of prohibition?—I have not. I am not in a position to give any opinion on the matter at all. I have my own opinion about it.

19369a. Have you any objection to tell us what your opinion is in regard to the desirability or otherwise of a general prohibitive law?—Do I understand you to mean by prohibition, prohibiting the use of liquor entirely?

19370a. As a beverage?—Well, I certainly would dissent from any such thing. I do not believe in it. I think every man should have a right to do as he pleases with regard to a matter of that kind. I do not believe in taking a man by the throat and telling him he must not drink because I do not, because I think it is wrong. I think education is doing a great deal of good in that direction just now. It is repugnant to me to say to a man what he shall eat or what he shall drink.

19371a. Do you think that a prohibitive law if enacted could be efficiently enforced?—I do not think so. That is one of the reasons why I do not care about going further into it, because I have not given the matter a great deal of study.

19372a. Have you any objection to stating your reasons why you think it could not be efficiently enforced?—I have not given sufficient study to the question to be able to answer it.

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*By Judge McDonald :*

19373a. In case of the enactment of such a law preventing the manufacture of liquor, would you deem it right that brewers and distillers should be remunerated for their plant and machinery rendered useless?—Decidedly.

*By Rev. Dr. McLeod :*

19374a. Are you engaged in any commercial business?—Yes, I am in business.

19375a. Suppose that Parliament the coming session should make some change in the tariff laws that would interfere seriously with your business, should you be compensated for such loss as you would suffer?—That has frequently been done.

19376a. Most business men have been injured at some time or another by tariff changes; have they ever claimed compensation?—No, because their business was not wiped out completely.

19377a. But have there not been cases where business was seriously interfered with?—Sometimes, perhaps.

19378a. How many licenses are there altogether in Ottawa?—Somewhere about 111, including wholesale and retail.

19379a. What is the population of Ottawa?—Between 45,000 and 50,000.

19380a. Do you know whether the licensees observe the prohibitive provisions of the license law?—I think the licensed victualers observe them very well, so far as I am aware.

19381a. I ask the question because I read in one of the morning papers this morning that there had been a number of cases before the Police Magistrate for violation of the law by licensed liquor dealers, I think some thirty altogether. I wondered whether I was right in assuming that there is general and perhaps persistent violation of the law on the part of the licensees?—Well, I fancy that is owing to the extreme vigilance of the Inspector. If they see a light or the slightest movement inside, they fancy that liquor is being sold, and the liquor dealer is called up, but there is generally nothing in it, and in many cases they are discharged.

19382a. I think of eighteen cases that were yesterday before the court, twelve were convicted?—If that has occurred, it is something unusual.

19383a. I want to know if these men would be convicted for simply having a light, or were they convicted for selling liquor in improper hours?—Possibly they may have been selling. The Police Magistrate would give you more information on that point.

19384a. In some towns of Ontario where we have been, it is claimed that more or less of political influence was involved in the distribution of licenses, and also in the enforcement of the license laws; does that condition of things prevail in Ottawa?—Not that I am aware of.

MOST REV. J. THOMAS DUHAMEL, D.D., Archbishop of Ottawa, having duly affirmed, deposed as follows :—

*By Judge McDonald :*

19385a. How long has your Grace been Archbishop?—Since 1882.

19386a. What territory is included in your archdiocese?—In the Province of Ontario, the Counties of Prescott, Russell and Carleton and North Lanark. In the Province of Quebec, the old County of Ottawa, now Counties of Wright and Labelle, and a part of Argenteuil and a part of Terrebonne.

19387a. During the time that you have been Archbishop, has any portion of this territory been under the operation of what is called the Scott Act?—I could not say. I never had occasion to inquire about it. I think it was in operation in the County of Carleton.

GEORGE COX.

19388a. Have you had at any time, from conversation or reports made to you, evidence from your clergy as to the results of the Act?—Yes, I was told several times that in the counties where the Scott Act was adopted, it could not be kept in force for a long time and had to be repealed; and it was considered useless to have the Act in force in any county where it was not carried out.

19389a. Did your clergy report to you as to the effects of the Scott Act?—Not officially, because I never put any questions to them on that point, but in conversation they expressed their opinion in that way.

19390a. I mean, did they say whether it had been promotive of temperance in the section where it was in force?—No, they did not consider it as being conducive to temperance. On the contrary, they considered it as being rather detrimental to temperance, for this reason, that when a man goes to a hotel to drink he spends his money there and perhaps occasionally gets drunk; but if he is not able to get liquor at a hotel, then he will buy it in quantity and bring it home, and other members of the family, finding the bottle, may also be led to drink.

19391a. Has your Grace at any time lived in any country that was under prohibition?—No, I have never lived elsewhere than in Canada.

19392a. Have you travelled in other countries?—Yes, I have travelled a little in France and Italy.

19393a. How have you found the customs of the people there in regard to these beverages?—Well, the practice there is for people generally to use light wines, and I think there are not as many drunkards in France, if there are any at all worth mentioning, as there are in other countries where the use of light wines and beer is not so common.

19394a. How did you find it in Italy?—It is about the same in Italy. I know that for some time past, a taste for stronger liquors has been growing in France, but on the whole, in localities where they make use of light wines, intemperance is not very prevalent.

19395a. Personally, are you favourable to a prohibitory law?—No, I would not like to see a law of that kind. I am opposed to prohibition.

19396a. Will you kindly give us your reasons, or some of them?—My reasons are these, that we can make use of all the good things that we find on this earth, whether they come to us naturally or whether they are the work of man, so long as we use them properly, with sobriety; and that any one is allowed to use these things which may be considered good, which are not evil in themselves. Man having received such liberty from his creator, he should be allowed to exercise that liberty at all times. But if any one abuses the good things we find in this world, then we must strive to correct such abuse, and find out the best means of preventing excesses, trying moderate means, if possible, and if they fail then more powerful or coercive measures may be resorted to.

19397a. According to the rules and practice of your church, what kind of wine is used in the Holy Eucharist?—Fermented wine.

19398a. Would it be allowable to use any other kind of wine in your Communion?—No, it would not.

*By Rev. Dr. McLeod:*

19399a. Is it really fermented wine, or is it the wine of commerce which is used?—Fermented wine.

19400a. It is not a wine ordinarily on sale?—No, we are particular on that point and are careful as to the wine that we use for Mass. Generally those who are selling wine will tell us when we apply to them, "We have what we call Mass wine, and can assure you that it is real wine, such as you require in your church; we have other wines here that we cannot say are such as you can use at Mass." So the merchants who deal in wines make a difference between the wine that we require and other wines of which they are not so sure.

19401a. You are careful then in your church to have the pure juice of the grape?—Yes.

*By Judge McDonald:*

19402a. Fermented?—Yes.

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*By Rev. Dr. McLeod:*

19403a. I suppose your priests are active in promoting temperance among their people, are they not?—I think they are always trying to promote temperance, but not always teetotalism, because we make a difference between the two.

19404a. We learn that there is a large number of parishes in the Province of Quebec in which no licenses are granted, and we have learned that the refusal to grant licenses in most cases is due to the influence exercised by priests. Are there many such places, do you know in your archdiocese?—In my diocese, I think all the priests try to have as few licenses as possible, but I am not aware that in any place they have tried to suppress licenses altogether, except perhaps in one place, that is Maniwaki, where there are Indians; and for the sake of the Indians, I suppose the priests think it better there should be no license at all.

19405a. So there is one place in your diocese in which no licenses are granted?—They are granted there, unfortunately, but I say the priest endeavoured to prevent any licenses being granted at all.

*By the Chairman:*

19406a. Do you think intemperance has increased or decreased of late years?—I do not know. I am not out so often as I used to be in my younger days, but I cannot say it has increased much, though I know a great many are drinking too much.

19407a. I thought you might know from the reports of your clergy?—There is a great deal of liquor used, no doubt, and I think that some measures might be taken to prevent the abuse of liquor and the offence of drunkenness.

19408a. We should be very glad if you would state any measures which occur to you?—I think if all the existing laws were enforced better than they are, they would diminish drunkenness a good deal. I think fewer licenses should be granted, and those who are licensed should be protected in some way against those who sell without a license. If they were protected against illegal competition I think they would have better regulations in their houses and would see that men did not drink to excess.

19409a. You mean that there should be a better enforcement of the existing laws by the authorities?—Enforce existing laws, decrease the number of licenses, and at the same time have officers who would be more vigilant than they are at present in prosecuting illicit liquor dealers.

19410a. Have you any temperance organizations affiliated with your church?—In several places there are what we call temperance societies. There is one in this city that has been in existence for forty or fifty years, for the English-speaking Catholics. It used to be in connection with the Basilica, now it is in connection with St. Bridget's, since the two populations have each their own church. In some of the parishes there are some such organizations, but in very few of them. Generally the priests try by moral suasion to persuade those who are subject to intemperance to take the pledge.

19411a. Is a register kept of the membership of these societies?—Yes, in those localities where they have a special organization; not otherwise.

19412a. Can you tell us if the membership has increased or diminished?—I think it has remained about the same. There are always some going out and others coming in.

19413a. But with an increased population ought you not to have an increased membership?—Yes. I cannot say exactly whether they have increased or not.

19414a. Can you tell us the governing rules of the society which you say has been in existence here for about fifty years?—This society is for those who want to become teetotalers, and they take the pledge for life. In these societies they are never allowed to take the pledge for a certain number of years, they must take it for life. I suppose if they happen to break the pledge, they would be allowed to take it again.

19415a. What is the character of the pledge?—Well, they form a strong resolution and promise that with God's help they will abstain from all intoxicating liquors and try to induce others to do likewise.

19416a. Is that document lodged with the curé of the parish?—It is, he keeps the record of the names. But the greatest good is being done by the priests who try to

Most Rev. J. THOMAS DUHAMEL, D.D.

bring those who are inclined to drunkenness to take the pledge so as to save themselves. They would be greatly helped indeed if there were not so many licenses granted, and if more vigilance was used in suppressing the illegal sale of liquor.

19417a. In those cases have you graduated pledges, a pledge for a year or a certain number of years?—Privately it is for a certain number of years, or for one year. Sometimes when they say a year would be too long we allow them to take the pledge for as many months as they like.

19418a. That is the engagement entered into with the priests?—It is the promise that they make, or rather a strong resolution that they form in the presence of the priest.

19419a. Is a record kept of it?—No.

Rev. J. J. BOGERT, Rector of St. Alban's Church, Ottawa, having been duly sworn, testified as follows:—

*By Judge McDonald:*

19420a. I believe you are Rural Dean of Carleton in the Church of England?—Yes.

19421a. How long have you lived in Ottawa?—Nearly thirteen years.

19422a. Apart from your work as rural dean and as Rector of St. Alban's, do you take any part in looking after public institutions in accordance with a division of clerical labour?—I am acting Chaplain to the jails, and visit the hospitals.

19423a. I understand you take quite an interest in prison reform?—Yes.

19424a. And have interested yourself in the movements in favour of prison reform in the province?—Yes.

19425a. Speaking as a clergyman, do you find there is much misery in the community caused by intemperance?—I think there is sure to be misery where there is intemperance.

19426a. As a clergyman, I suppose you have had occasion to deal with the subject of intemperance?—Yes.

19427a. In your position as acting Chaplain of the jail, do you find that many of the prisoners are committed for drunkenness?—Yes, a good many of them.

19428a. Do you find many of them are men who are committed frequently?—I have not very many men to deal with. In the County of Carleton there are some new regulations under which I only see those who come to me voluntarily and the result is that very few do come. I say it is a bad arrangement.

19429a. Taking the experience that you did have formerly, do you think that the present system of dealing with drunkards, committing them for short terms, is of any benefit to them?—It does not seem to be. I do not think of any one who is reformed by sending him to jail.

19430a. Would you favour any other system that you think would be preferable?—I have thought of the subject, and I have not found any that is practicable.

19431a. It has been suggested to the Commission in some quarters that it would be advisable to have some institution to which men may be committed for a longer period and compelled to work?—A sort of inebriate asylum.

19432a. Even more than that, where they would be put to employment also, not a mere refuge, but an Industrial Home?—I should think that would be a very good idea. There are some men who, if you could get them away from their habits for some little time, would perhaps permanently break off these habits, and they would have a chance to commence anew. I certainly think it would be a benefit.

19433a. Speaking as a pastor, what is the rule of the Church of England as to the wine that has to be used in the Eucharist?—Do you mean as to whether it should be fermented or unfermented?



19434a. Yes?—The rule is fermented wine. I do not think that unfermented wine would be considered illegal, but fermented wine is the rule.

19435a. Do you know whether there has been a declaration on that point by the church in this country in Provincial Synod?—The matter was up before the Synod, but I forget how it was disposed of.

19436a. Will you state what the custom is in this diocese? Has any action been taken in reference to wine?—There was a committee appointed to procure a perfectly pure wine; In fact, I brought the matter before the Synod. I was a member of the committee and I took steps to procure what would be considered a perfectly pure wine, and I think we succeeded in getting that wine.

19437a. Is it a Canadian wine?—Yes, a fermented wine called St. Augustine, but it is not a very strong wine.

19438a. Was one of the reasons of selecting that wine because it was found that a great many so called wines of commerce were not considered pure?—That was one reason.

19439a. Particularly in the country localities?—Yes.

19440a. And this St. Augustine wine is now generally used in this diocese?—I think it is.

19441a. Speaking now as a citizen of Ottawa, how is your license law carried out?—Really I do not know. In what respect do you mean?

19442a. You know that the license law contains a great many provisions, such as preventing sale on Sunday and after a certain hour on Saturday night, as well as the sale to minors and drunkards?—Well, I am not in a position to judge. For instance, on Saturday night I hardly ever go out of my own house into the street, and I really do not know except what I see in the papers. So I cannot give you any information as to whether the law is well carried out in those respects.

19443a. Did you ever observe drunken people on the streets on Sunday?—Very seldom.

19444a. Can you say as to whether there is a larger number of licensed places in Ottawa than is required by the population?—I think we could do with a great many less.

19445a. You think it would be in the interest of temperance if there was a smaller number?—Yes.

19446a. Have you had any experience of the working of the prohibitory law?—No.

19447a. Have you ever lived in any country where a prohibitory law was in force?—I was in Napanee in the County of Lennox and Addington, where they had, I think, the Dunkin Act in force. But that was not prohibitory.

19448a. It was a kind of local option law?—Liquor could be sold wholesale. There were places where it could be bought in large quantities.

19449a. You have never lived in a country in which the manufacture, importation and sale were prohibited?—No.

19450a. Do you know of any country where all these three conditions prevail?—No, unless in Maine.

19451a. Have you had any experience of the working of the Scott Act?—No.

19452a. While the Scott Act was in force in the County of Carleton, did you, in the discharge of your duties as rural dean, or as a clergyman, travel much through that county from 1886 to 1889?—Yes.

19453a. In coming into contact with the clergy of that deanery did you receive any reports or statements in conversation or otherwise as to how the Scott Act was carried out, and the results?—At the last meeting of the deanery there was a resolution passed in reference to prohibition, based on their experience. The question came up. About twenty of the clergy, I think, were present, and some of the leading laity also, and this resolution was passed unanimously. I obtained a copy of it which I will read:—

“This Rural Chapter desires to place on record an expression of its sense of the evils of intemperance and of the duty resting on all clergymen, and especially on those occupying positions of influence, to make use of all proper means for the prevention of drunkenness and for the cure

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of the drunken. That, however, it cannot support compulsory total prohibition, inasmuch as past experience proves that it is impossible to enforce such a measure. That it wishes also to express its entire dissatisfaction with our present system and will be glad to see the Bishop of Chester's scheme tested, by which the sale of intoxicating liquors would be placed entirely in the hands of responsible officials who would be paid a salary for their services."

That was passed at the last meeting in November last.

19454a. I understand the Bishop of Chester's scheme is based upon a Swedish and Norwegian system called the "Gothenburg system?"—I think it is. The man who sells liquor will derive no benefit from the sale of it. In fact, I think that there is an inducement not to sell much.

19455a. Does the resolution meet with your own approbation?—When it was passed, I took exception to it. I thought it did not go far enough.

19456a. In what way?—Well, I told them I thought they ought to take higher grounds against prohibition than that.

19457a. What grounds?—In other words, what is your own view in regard to that matter?—In my own view I am totally opposed to prohibition. I think it is not in accordance with the principles of Christianity. I feel very strongly about it. It seems to me there is nothing from beginning to end of the New Testament of the principle of prohibition, but a great deal against it. Of course I could not approve of that resolution, and told them that they ought to take higher grounds than the mere practicability of prohibition. However, they did not agree with me, they thought it was sufficient to pass that resolution. I was in the chair, and of course I did not vote on the matter.

19458a. You did not consider it a practicable measure that could be carried out?—No.

19459a. In case of the enactment of a prohibitory law preventing the manufacture of liquor, would you deem it right that brewers and distillers should be remunerated for their plant and machinery rendered useless?—I do not know.

19460a. Have you considered the question at all?—No, I cannot say that I have seriously.

19461a. We would be pleased if you would state to us as concisely as possible the position you take as to the New Testament being opposed to prohibition?—In the first place, I do not see anything from beginning to end of the New Testament in favour of prohibition. To start with, we find Our Blessed Lord who came to be our example certainly drank wine himself, and in the first miracle he wrought, he not only turned water into wine but into a large quantity of wine. Then it seems to me that our Lord did lay down what may be called a mode of prevention of intemperance and the cure of intemperance, and I think that prohibition, like other human devices diverts men from Our Blessed Lord's own way. He lays down the system of self-denial, regular systematic self-denial, and I do not think anything else than God's grace will prevent men from becoming drunkards, or cure them of drunkenness.

19462a. I suppose you would hardly take the position that our Lord would have recommended or promoted the use of some of those compounds that are not allowed to be used in the Sacrament now?—Certainly not.

19463a. In speaking of the question of prohibition, you refer to the prohibition of what would be genuine wine?—Yes.

19464a. Such wine as is now by regulation used in the Holy Communion in this country?—Yes.

19465a. Your remarks also apply to the use of ales and things of that kind, fermented drinks?—Yes.

19466a. Is there any other statement you would like to make yourself?—I was very much struck with a report that I saw a good many years ago. It happened that I was preparing a paper on this very subject, and I came across, somewhere, a report of the Massachusetts Board of Health, containing the result of inquiries that had been sent out to all parts of the world, to ambassadors and consular agents with reference to the use of intoxicants from wines and the degree and nature of intemperance in those countries; and their report based upon those returns was published.

19467a. Can you tell us the year?—It was in the third annual report of the State Board of Health of Massachusetts, dated in January, 1872. The report also contained a correspondence between American Ambassadors and Consular Agents and a Dr. Bowditch, which contained some very remarkable facts. This was the title "Correspondence on the use and abuse of Alcoholic Stimulants among Foreign Nations, and a comparison with the United States in this particular." The gist of the statement was that there was the least drunkenness, and of the least harmful character, where every person drank wine from boyhood to old age.

*By Rev. Dr. McLeod :*

19468a. I notice that the resolution you have read says that past experience has demonstrated the uselessness of prohibitory measures. Will you please state what past experience the deanery had in mind?—I suppose their own individual experience.

19469a. Would it be experience of some law prohibiting the manufacture, importation and sale; or would it be experience of some local provision?—I think they use general terms, "inasmuch as past experience proves."

19470a. There is nothing definite about it then?—No.

19471a. I think I understood you to say also that you yourself are of the opinion that the present system is not satisfactory?—That is my opinion.

19472a. So that whatever experience the members of the deanery have had of prohibition, much or little, and their experience and observation of the present system, are both alike unsatisfactory?—Is that the idea?—Yes.

*By the Chairman :*

19473a. Do you state that they are alike unsatisfactory, or that both are unsatisfactory?—That both are unsatisfactory. I do not know that they made any comparison between the two systems. As well as I can remember, I think there was a very strong expression of individual opinion against the system of treating, which is now the cause of a great deal of harm.

*By Rev. Dr. McLeod :*

19474a. From coming into close contact with the families in your church, doubtless you have learned how far the drink habit and drink traffic are responsible for the domestic unhappiness and miseries that are too prevalent, and I would like to ask you if you know of any other thing which produces so many and so serious and painful distresses as the drink habit?—It is very difficult to make comparisons, to estimate the evils of either. At the present day, there is an enormous amount of evil produced by the printing press. I am not talking particularly of daily papers, I am speaking now from my own standpoint, of course. I am satisfied an immense deal of mischief is done, for instance, in spreading scepticism, infidelity, and certainly immorality. I think that the printing press is responsible for a very large amount of the evils of the present day; but I should not think that was sufficient reason for my advocating the prohibition of all printing presses. I question if a good deal of the intemperance, now prevalent, could not be traced to that cause, because if you loosen the religious views of men, they are much more likely to fall into intemperate habits.

19475a. Have you observed whether the drink habit dulls the moral sense and paves the way for the scepticism and other evils which you referred to?—No; I do not think so. I think it is rather the other way. I think that the men who are troubled with sceptical views, are generally pretty sober-minded men.

*By the Chairman :*

19476a. What do you understand by the drink habit?—Drinking to excess.

19477a. You do not mean by the drink habit, a person who takes a glass of wine?—Certainly not. I do not call that a bad habit.

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*By Rev. Dr. McLeod :*

19478a. It is a variable term, and Sir Joseph's question, of course, fully defines it, but I do not think you have fully answered my question yet. Do you regard the drink habit, whether that habit be indulged in more or less, and the drink traffic, as they are carried on to-day, as responsible for any considerable degree of the poverty, the domestic unhappiness, neglect of religion and neglect of children which you have observed in your pastoral career?—I have rather a sober congregation. A little while ago, I think, we had a small number of parishioners who might be called intemperate. But, as I said before, wherever there is intemperance, there is certain to be trouble.

19479a. Am I right in my impression that the Bishop of Ontario takes quite strong ground on the temperance question?—I do not know. I have not heard him speak of it.

19480a. Has he not spoken publicly on the prohibition question?—I do not remember hearing him.

JOHN O'REILLY, Inspector of Licenses, Ottawa, having been duly sworn, deposed as follows:—

*By the Chairman :*

19481a. How long have you held the office of inspector?—Since 1876.

19482a. Who are the Commissioners?—The present Commissioners are Mr. Jamieson, Mr. Quinn and Mr. Leblanc.

19483a. Are they for the county and the city?—Only for the city, and I am Inspector for the city alone.

19484a. What is the number of licenses issued in the city at this time?—One hundred and eleven altogether, and there are 5 wholesale in addition, making 116.

19485a. Have you any compounders in the city?—Not that I am aware of.

19486a. Have you had at any time a larger number of licenses than 116?—Yes, the highest number we ever had was 148 in 1890-91. I am still speaking of the city alone.

19487a. What is the license fee at present?—Three hundred and fifty dollars for retail licenses, \$400 for saloons, and \$250 for shop and wholesale licenses.

19488a. How many shop licenses have you, I mean shops where liquor is sold in connection with groceries?—We have 39 at present.

*By Mr. Clarke :*

19489a. But liquor is not sold in those 39 in connection with groceries?—No, they have groceries but the liquor store is separate from the grocery.

*By the Chairman :*

19490a. Separated by a partition or a wall, but they are really vendors of food and hold a license?—Generally, with a few exceptions.

19491a. What was the effect on the liquor traffic in the city, of the Scott Act being in force in the County of Carleton?—Well, according to the liquor sellers, more liquor was sold then than since that time. From personal knowledge, I cannot say anything.

19492a. Can you tell us the number of licenses existing in the city during the Scott Act period in the County of Carleton, from 1886 to 1889?—I have only the number for 1888-89; there were 132.

19493a. Does that include wholesale licenses?—That includes all. The next year we had 137, and the next year we had 148, then 147 in 1891-92, 125 in 1892-93, and 111 for the present year, exclusive of 5 wholesale licenses.

19494a. What class of licenses has been reduced in number?—Hotels, shops and saloons. We call the saloons, taverns. They are denominated taverns, by law.

19495a. Do the saloons make any pretense of supplying meals?—Yes.

19496a. The law requires them to supply meals?—They must supply meals.

19497a. Do they do so?—They do, so far as I can see.

19498a. After what fashion do they supply meals?—A little bread and cheese with the drink?—More than that, they give meals to whoever wants them. People can get a cup of tea or anything they ask for.

19499a. What is the process to be gone through before licenses are issued in the city?—An applicant makes a written application and then at a certain time the Board meets and considers this application. If granted, he signs a bond with two sureties that he will keep the law and that he has the required accommodation and will continue to have it.

19500a. Are you required to report to the Commissioners on an application before action is taken?—Yes, we certify to the correctness of his statements.

19501a. And if there is opposition the Commissioners sit and hear the evidence, I suppose?—In case of objection being made by petition.

19502a. The objection has to be in writing?—Yes.

19503a. If a ratepayer makes an objection is he heard, or have a certain number of ratepayers to petition in order to move the Commissioners to hear the complaint?—I think it requires no less than twelve, but any one making an objection will be heard notwithstanding. Any one person who has an objection to a license being placed near to a residence, or near to any church or school, will be heard as to his objection, and then be told the way to proceed afterwards, that is by getting a majority of any polling subdivision in which the license is asked for to petition against it.

19504a. That is, if the majority petition against it, the Commissioners cannot grant the license?—No.

19505a. Apart from the large hotels in the city, what would you consider the average value of the buildings in which liquors are sold?—I could not form any idea that would be at all approximate. I might be far out.

19506a. Take an ordinary saloon in Ottawa on a business thoroughfare, what would be the average value of it?—I should think the average value of it would be from \$3,000 to \$4,000.

*By Judge McDonald :*

19507a. Have you reason to believe that there are any places in Ottawa licensed as hotels, with accommodation for the travelling public, which are in reality nothing more or less than drinking shops?—None, except saloons.

19508a. That is they have bar-room accommodation and accommodation for meals, and yet are nothing more than drink shops, and the latter is their real business?—I have no doubt there may be one or two who do not entertain otherwise than by selling drink.

19509a. They have accommodation because the law requires it, I suppose?—Yes.

19510a. Now, how often do you visit these places?—Very frequently, almost every Saturday evening particularly.

19511a. I do not mean merely calling in, but how often do you go to see that the rooms are kept ready for guests, for instance?—We make a thorough visit to the whole of them just before the licenses are considered, in order to make a report. After that, unless we hear that any one has dropped the accommodation, or has not got it at the time, we do not visit them for that purpose any more.

19512a. Unless some one made a complaint?—Unless we hear of it.

19513a. So that so far as your custom goes a man might have all the accommodations when you make the inspection in the spring before the license is granted, and if afterwards he removed this accommodation, unless your attention was called to it, you would not know it?—Possibly we might not, but it is hardly probable, because we always take occasion on our visits on Saturday evening to inspect the place, and where we know they have boarders and cannot do without accommodation, we do not make any inquiries. It is where we suspect them ourselves that we take means to find out whether they are observing the law in those particulars.

19514a. Have you reason to believe that the provision of the law preventing the sale upon Saturday night after a certain hour is well carried out in Ottawa?—I think so.

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19515a. Thoroughly carried out?—It may not be thoroughly.

19516a. Have you many prosecutions under the law?—Not a great many.

19517a. How about Sunday?—Well, with the exception of three or four places I think the law is carried out as thoroughly as possible.

19518a. What do you mean by "as thoroughly as possible?"—I will tell you, on account of complaints being made I brought private detectives here in order to find out if such complaints were true. They stated to me after five or six weeks work that they had never been in any place where the law was so well carried out by the hotel people as in Ottawa.

19519a. Did they say it was well carried out?—Yes, they said it was well carried out, they could not get a single case against the hotel people.

19520a. Had that been your own opinion?—I did believe them because the appearances were such with few exceptions. We always have two or three places that we suspect and are watching to catch.

19521a. How many of these places have been closed up that you have suspected and licenses refused them?—I think there were six or seven last year.

19522a. Have there been any cases in which you had reason to suspect that the law was broken, but in which licenses have been continued?—I cannot recollect.

19523a. Has any complaint been made to you of any of these places in the vicinity of churches, having broken the law?—Not that I can recollect.

19524a. Either by a tavern selling out of hours or by a shop selling by the glass?—I cannot remember any specific case, but I know there have been occasionally complaints although I cannot point out any particular time or place.

19525a. You do not remember if a complaint was made of the sale of liquor, either by a tavern selling in improper hours, or a shop selling by the glass, in places in the neighbourhood of churches?—I remember one liquor store that was complained of, and they did get a license afterwards.

19526a. Can you tell us why the license was continued? The person had been drinking who owned the license, and he promised to go to a "Gold Cure" and get rid of his drinking habit if they would continue his license for that year, and that was done. It seems he was all right and they gave him a license.

19527a. Who carried on the business while he was away?—His wife and son.

19528a. Now have you reason to believe there is any sale to boys under age in Ottawa?—There was only one case brought to my notice, but we could not prove it. They swore that it was not true.

19529a. Any case of sale to drunkards?—No, we have not had any.

19530a. Then in your judgment, the men who are licensed in the city of Ottawa honestly carry out the provisions of the law?—Generally.

19531a. Well, are the exceptions proceeded against?—Yes.

19532a. With what degree of success?—We have fined them time and again.

19533a. What about their licenses next year?—I do not know yet.

19534a. In 1892 how many were struck off?—Thirteen I think.

19535a. Were any of these stricken off because they had broken the law the year before?—Yes, and no certificates had been given to them.

19536a. Were the certificates withheld on account of their bad conduct?—Yes.

19537a. So far as you can see you honestly carry out the law?—As well as we can.

19538a. Do you find it difficult to carry out?—Not now, it was difficult some time ago. Now there seems to be less drinking going on, in fact scarcely enough doing to make them think it would pay them to run the risk of being fined.

19539a. What assistance have you to help you in the discharge of your duty?—I have an Assistant Inspector and when we require a private detective we can employ him.

19540a. Is the city police placed at your disposal by the city authorities?—Not at my disposal. The Chief conducts the police, and so far as I know they are all instructed to see that the law is carried out.

19541a. If they see a place open on Sunday or Saturday night after hours it would be their duty to report it?—It would be their duty, and they do it frequently.

19542a. How long have you been License Inspector?—Since 1876.

19543a. From your experience as License Inspector can you suggest to the Commission any amendments to the license law that you think would be in the interest of temperance?—So far as shops are concerned, I would suggest that they be removed altogether from the building where groceries are sold. In that case, I think, it would be much easier to prevent the law being broken. I think the grocery should be removed three or four or ten feet away.

19544a. You think that in case a man has both a grocery and a shop and he was required to have his license shop further away from the grocery, the intention of the law would be better carried out?—I think so.

19545a. In some places is there merely a partition between the two?—In almost all places.

*By Mr. Clarke :*

19546a. That is an evasion of the present law ; is it not?—I should think so.

*By Judge McDonald :*

19547a. Is there any other amendment you could suggest?—Heavier fines.

19548a. Have you ever thought whether it would be an advantage in case a man was convicted a certain number of times to take away the license from the property as well as from the individual?—No, I have not thought of it.

19549a. Some take this ground. They say it would be a hardship upon the owner, but suppose that after three convictions the property had to lose the license, the owner could easily protect himself with his tenant, by saying in the lease : If you are convicted once or twice your lease ends, and in that way the owner would free himself from the penalty?—I think it would have a good effect.

19550a. Do you not think it would make the landlord take an interest in seeing that the law was observed?—I do.

19551a. Have you considered the question of the treatment of habitual drunkards? Do you think they derive any benefit from being sent to jail for these short terms?—No, I do not.

19552a. Do you think they are harmed instead by that treatment?—Very often. I never saw any benefit from it.

19553a. Where a man is a habitual drunkard would you favour his being removed from society for a lengthened period?—I think it would be better for himself and his family.

19554a. Confine him in an inebriate asylum or an industrial home or something of that kind?—I think so.

19555a. Have you had any experience of the working of a prohibitory law, other than the Scott Act?—No.

19556a. And that only in the neighbouring county?—That is all.

19557a. In case of the enactment of a law prohibiting the manufacture of liquor, would you deem it right that brewers and distillers should be remunerated for their plant and machinery rendered useless?—Well, I think it would be right.

*By the Chairman :*

19558a. Could you without inconvenience make out for us a list of the licenses issued during the whole of your term in office?—It would be a strain on my time just now as I am very busy in connection with prosecutions, but I can do so later on, within a month.

19559a. You might give us the number of licenses issued each year from 1876, classified?—I will undertake to do so as soon as possible.

*By Rev. Dr. McLeod :*

19560a. You have a less number of licenses now than at any other time during late years?—Yes.

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19561a. What is the cause of the reduction in number?—The cause was that some of them were not keeping the law as they ought, and there was a general desire for a reduction.

19562a. How many hotels are licensed?—There are 32 taverns.

19563a. The violation of the law by certain licensees and a general desire for a reduction in the number of licenses, have brought about a reduction?—Yes.

19564a. Do you think the licensees violate the law at present?—I think they do occasionally.

19565a. For instance, I read in a morning paper that there were a number of cases before the Police Magistrate for violation of the law just now; how many cases were there all told?—There were some a month ago. Altogether I think about 16 or 18 within a month.

19566a. Some of them were convicted?—Yes.

19567a. Had any of these parties been convicted before?—Yes.

19568a. Will their license likely be cancelled at the end of the year or will they be cancelled now and withdrawn at the end of the year?—I cannot say. I do not know what the Commissioners may do.

19569a. Does not the law say that after a certain number of violations by a licensee his license shall be cancelled?—It says if they are convicted, but it has never been followed. There was a question as to whether the record should be taken for one year or for years back. It appears now it can be taken for any number of years back. In that case there would not be a hotel perhaps in the city that would not be disqualified.

*By the Chairman :*

19570a. But you cannot say what the decision of the Commissioners may be?—No.

*By Rev. Dr. McLeod :*

19571a. Can you say whether there is a provision in the law that makes necessary the cancellation of licenses that have been violated, or whether such cancellation is at the discretion of the Commissioners?—It depends upon the Judge before whom the case might be tried. But I do not think the Commissioners are bound to do that. I think any individual may bring a man before the Judge on a charge to disqualify him from having a license, and that can be done if he has been convicted before three times. Any person who wishes to enforce the law can bring a prosecution.

19572a. Are there any licensees in the city of Ottawa that have not at one time or another been charged with violation of the law, and perhaps convicted?—There are.

19573a. A good many?—I should say there are about five who have never been convicted, that I am aware of.

19574a. So that out of 116, your present number, all except five have at one time or another been convicted?—About five as near as I can judge.

19575a. You have not a very large percentage of law observers?—It often happens that a man is brought up for violation of the law on a case so trivial that it ought not to be considered, perhaps in consequence of a mere accident or carelessness on his part. So it may happen that men who are seldom brought up may be greater law-breakers than those who are brought up more frequently, but they are more wary.

19576a. From your long experience as an Inspector, have you an impression that the violations of law by licensees are accidental for the most part or designed?—I do not suppose, with the exception of very few, that they would be accidental.

19577a. Then they are not unfortunates?—They are tempted to break it in one way or another.

19578a. Have you any illicit places for the sale of liquor in Ottawa?—There may be some, judging from hearsay. I tried by private detectives to catch them, but they could not find any; they could not get any liquor in those places we suspected. We suspect some boarding-houses.



*By the Chairman :*

19579a. Is it your duty to prosecute such places ?—Yes.

19580a. To hunt them out and bring them before the court ?—Yes.

*By Rev. Dr. McLeod :*

19581a. In certain Scott Act districts we have found this condition of things. Mr. A. is charged with a violation of the Scott Act for the first offence, and within a week or a month he is charged with another offence and that is also a first offence. Now, I want to know whether it happens in this city that the licensee is charged with a violation of the license law as a first offence, and when another case is brought against him, that is also regarded as a first offence, or does it go into the record as a second offence ?—It may or it may not.

19582a. Who determines what it shall be ?—I could hardly say. If it is brought by the Inspector or by any one else as a second offence, I think the magistrate is bound to convict as a second offence ; but I do not think the Inspector is bound to make it a second offence in the information.

19583a. Who lays the information ?—The Inspector or Assistant Inspector, the policeman or any one else.

19584a. Suppose the Inspector lays a charge against Mr. A. for a first offence against the license law and he is convicted, and next week that same man is found violating it again, does the Inspector lay the charge against him for another first offence or for a second offence ?—He should for a second offence.

19585a. Now, are second offences often charged or only infrequently ?—I do not think they are very frequent.

19586a. Why not ?—Lately, when we attempted to prosecute as a second offence or a third offence, an excuse was given by the clerk that he had not the forms. The case happened to go before a magistrate who was not a regular Police Magistrate, and he was told that it was the second offence, but it was not charged so in the information because there was no form for that purpose, and so he fined for a first offence.

19587a. Has the city been long without forms upon which a man may be charged for a second offence ?—They have often been fined for second offences.

19588a. I thought you said a little while ago that they had not been frequently ?—Not in the same year. The belief was, until very lately, that they should be in the one year, the year of the license.

19589a. Have any of the licensees violated the law more than once in the one year ?—Some of them.

19590a. Have they been charged with second violations, or have they always been charged as first offences ?—As a second offence if it was in the same year, in nearly all cases.

19591a. What are your duties as Inspector ?—I am expected to look after violations of the law, and see that the hotels have the required accommodation, to issue licenses and see that the money is paid.

*By the Chairman :*

19592a. Is it not your duty also to report on all applications for licenses ?—Certainly.

*By Rev. Dr. McLeod :*

19593a. You report as to whether they comply with the provisions of the law ?—Yes, and I have to see that a bond is executed for the fulfilment of the pledge.

19594a. Do you think there are seventy-two bona fide hotels in the city of Ottawa having the required accommodation in the way of lodging and table board ?—There are three saloons, but there are sixty-nine who, I believe, have all the accommodation that the law requires.

19595a. It is open to the ratepayer, is it not, to make opposition to applications for licenses ?—Yes.

19596a. How many ratepayers does it take ?—For an objection, I think it is ten.

JOHN O'REILLY.

19597a. When opposition is made, the matter comes before the Commissioners, I suppose, and they determine?—Yes.

19598a. Ratepayers can make opposition to an application for a new license, but can they make opposition in the same form to an application for a continuance of a license?—A new application must be signed by a majority in the polling subdivision where the license is asked for. That is required when it is a new place or a new applicant. He must bring that petition with his application.

19599a. I presume most of those who have licenses this year had licenses last year. Now when application for a continuance of the license came to be dealt with did they have to make a new application, or was it continued as a matter of course?—No, they have to make a new application, but without this petition.

19600a. Then could an opposition signed by the ratepayers in that polling district bring the whole question up again?—No, they could not prevent it.

*By the Chairman :*

19601a. Would it bring it up for consideration?—It would bring it before the board certainly.

*By Rev. Dr. McLeod :*

19602a. When opposition is made, what are the usual reasons that are given against the granting of the license?—Some say that they do not require it, that the neighbourhood does not require it where it is situated, or that it is within too short a distance of a church or a school, or that it would be an inconvenience to the neighbourhood.

*By the Chairman :*

19603a. Are the reasons on which an opposition can be based, given in the Act?—Yes.

19604a. Now, if the people bringing an opposition, make a case before the Commissioners, is it after all in the discretion of the Commissioners to grant the license notwithstanding the opposition?—Not if a majority of the ratepayers in the division sign it, then it is prohibitory.

19605a. That is the case of an application for a new license?—I have stated before that if a majority of the ratepayers in a division petition against the license the Commissioners cannot grant it.

*By Rev. Dr. McLeod :*

19606a. Perhaps I have not made my question clear. I want to know whether, if an opposition is made to the granting of a license, it is in the discretion of the board still to grant that license?—Yes, if the opposition is not made by a majority of the ratepayers, it is within their discretion.

*By Judge McDonald :*

19607a. Have not the Commissioners power without any opposition, to refuse at their own discretion?—Certainly, at their own discretion.

*By Rev. Dr. McLeod :*

19608a. I do not think we have got this clear yet. John Brown had a license in 1893, and he had it for several years. When the end of the year came, John Brown made an application for 1894. Is it possible in that case for a majority of the ratepayers in the polling district to prevent John Brown getting a license?—Assuredly, and in any case, the majority can prevent a license from being granted.

19609a. Old or new?—It does not matter.

*By Judge McDonald :*

19610a. In the case of a new license, he cannot get it without a majority in his favour?—No.

*By Rev. Dr. McLeod:*

19611a. I think you said you would remove these liquor shops from other branches of business?—Yes.

19612a. Why?—Because there would not be the same facility for selling illegally.

19613a. Are we to understand that these men who hold shop licenses do sell illegally?—They may. They have a better opportunity for doing so when they conduct a grocery business also. I tried some of them with these detectives, and they could not get liquor in any way, except in sealed flasks. They could not get a glass of liquor, nor could they get it by measure, but they purchased it in sealed bottle of less than the quantity allowed by law. Many of them did not think they were breaking the law.

19614a. Have you noticed that the licensees observe the law only in so far as they are compelled to do so by the license law?—Well, I would not say that. I know many of them are very conscientious men who will not break the law.

19615a. Yet, there are only five who have not broken it?—So far as we have knowledge. I want to say that a majority of them are not of that class; I think that in a general way, they kept the law so far as they can, reasonably well, so far as they are able. If a traveller came in they might give him refreshments in his room. I think the most of them would do it.

19616a. In the case of the man who had the place near to the mission church, what was the charge against him? That his place was a disturbance?—No, I do not think it was that exactly, but that the temptation to get liquor was dangerous to people attending the church.

19617a. Was not the man himself tempted by his own shop to get drunk?—Singulantly enough, the man never got drunk in his own shop. He would go out and get drunk.

19618a. Now that the man has stopped drinking, his shop is allowed to go on. Were the Commissioners giving the man a sort of bonus because he had stopped drinking his own goods?—They thought that he was a good man if he stopped drinking, and they left the license meantime to his wife and the young man. It was the only shop in that vicinity.

*By Judge McDonald:*

19619a. Was it a shop license?—Yes.

19620a. Was he selling by the glass?—No.

19621a. If not selling by the glass, what temptation could there be, to people going to the mission church?—They could bring their bottle and get their half-pint.

19622a. Now, was not this man charged in this case with selling by the glass?—He was charged but he was not convicted.

19623a. Was he not charged before you with selling by the glass?—No; I do not think he was.

19624a. Was it not that he allowed people to drink in his premises?—I do not recollect now whether it was or not.

19625a. He had a shop license?—Yes. That charge fell through.

19626a. Now, was it ever investigated in court?—It was brought before the magistrate and evidence was taken, but the evidence that was promised to us did not come.

19627a. Was the promised evidence asked for?—Yes.

19628a. For a particular time?—Yes; but it did not come.

19629a. Yet this man, who was charged in that way, had his license continued because he was going to the "Gold Cure" to get straightened up?—Yes, because he stopped drinking liquor. It was given to him for that year.

19630a. How many "Gold Cures" have you in the city?—Two, I think.

19631a. Will you mention their names?—I do not know.

19632a. Have you the Keeley Gold Cure?—Yes.

19633a. Have you the Murphy Gold Cure?—Yes.

JOHN O'REILLY.

19634a. Has Dr. Edwards a "Gold Cure"?—I do not know about that. I know the Keeley Gold Cure by reputation. I saw the other, and had occasion to bring parties there myself.

19635a. Have the men been benefited at this "Gold Cure"?—Yes.

19636a. Do you know instances yourself?—Yes.

19637a. How long is it since they were treated?—There are men treated within the last six months who have kept it. I am satisfied they will never touch it again.

19638a. Have you known any cases who have relapsed?—Yes. But I heard afterwards that they did not go through it properly.

19639a. Were the relapses many or few?—I only heard of very few.

*By Mr. Clarke :*

19640a. Are these sixty-nine hotels and thirty-nine shops and five wholesale places necessary for the business of this city?—I do not think so.

19641a. Would you favour a substantial reduction in the number?—Certainly.

19642a. Have you made any representation to the Commissioners in that direction?—Every year I try to reduce them.

19643a. Have you made any recommendation that the number should be reduced for the next year?—Not yet. That will come at the time for considering the licenses.

19644a. Do you propose to recommend a still further reduction?—Yes.

19645a. By how many?—At least ten or eleven, leaving the number an even hundred.

19646a. Surely these thirty-nine shops are not required, are they?—No ; there are too many small shops in the city.

WILLIAM McVEITY, Chief of Police, of the City of Ottawa, having been duly sworn, deposed as follows :—

*By the Chairman :*

19647a. How long have you been Chief of the Police?—I have been eight years Chief of Police, and twenty-eight years on the force.

19648a. Has drunkenness increased or decreased within the last ten or fifteen years?—It has decreased for the last twenty years.

19649a. Do you make an annual report to the Mayor and aldermen?—We make an annual report to the Board of Police Commissioners.

19650a. Is it printed for the last year?—Not yet. It is going to be printed in pamphlet form. I have here the figures which you asked for in your letter.

Year.	Total arrests.	Arrests for drunkenness.
1888.....	1,147	610
1889.....	1,134	618
1890.....	1,009	539
1891.....	833	405
1892.....	753	369
1893.....	579	261

19651a. Do you remember the time the Scott Act was in force in the County of Carleton?—Yes.

19652a. Could you give us statistics of the arrests of all kinds in the city and the arrests for drunkenness during the years the Scott Act was in force, namely, 1886-7-8?—I could, if I had a little time to go to office. I will supply the statistics.

21—85\*\*\*

19653a. Did you have more cases of drunkenness in this city during the years the Scott Act was in force in the county, than you had before or since?—I think not.

19654a. Then did the fact of the Scott Act being in force in the county have any effect on the crime in the city?—I think not. I do not think it had any effect in the city, but I do not think it was carried out in the county.

19655a. You mean that the people of the county had no difficulty in getting liquor and that they did not drive into Ottawa to get it?—I think not. I think they could get it whenever they wanted it.

19656a. Farmers and others coming into the city on market day while the Scott Act was in force in the county, did they indulge more than in the period previous to the Scott Act, and subsequent to its repeal?—I do not think so, not in Ottawa.

19657a. Have you any knowledge of how the Scott Act worked in Carleton?—I think men did not get drunk so much. I was born in the County of Carleton and I think the Act was an improvement to the county. If men got liquor, they did not get enough to get drunk. I have been at public gatherings in the county, and I have found the people were better conducted, liquor was not used so openly; it was not handed around in the usual liberal way as it was before the Act was passed.

19658a. Did you observe if there was less drunkenness during the years that the Scott Act was in force in the county than previous to its adoption or subsequent to repeal?—Yes, at public meetings and gatherings there was a great deal less. I have been at public meetings and places in the county and I saw there was much less drunkenness, in fact there was no drunkenness at all.

19659a. Do you think there was more liquor consumed in private houses during the period the Act was in force, than there was prior to that time?—I do not think it.

19660a. You do not think that farmers and others carried liquor into their homes and drank it there instead of drinking it at licensed places?—I do not think they did.

19661a. Have you anything to do with the enforcement of the liquor law in this city?—Yes. We have a great deal to do in that way, we bring up quite a number of cases.

19662a. We know there is an Inspector whose duty it is to see the law enforced, and Commissioners who regulate licenses; Now what are the instructions to the police on that subject?—Their instructions are to watch all places where liquor is sold, to detect offenders and let none escape that they can find out. They have general instructions to carry out the law as to selling out of hours or selling to persons they ought not to sell to.

19663a. What about places in which liquor is sold without the tenant holding a license?—We look after illicit sales.

19664a. Are there many cases where you have to arrest people for selling illicitly?—Quite a number of cases. There are always some.

19665a. How many do you suppose in a year for selling without license?—Not more than eight or ten, I think. That is for the police.

19666a. Have you had any cases of the illicit manufacture of whisky?—None.

19667a. Do you think if a law was enacted prohibiting the sale of liquor in the city of Ottawa, that it could be efficiently enforced?—Yes, I think all laws can be enforced if you make the penalties severe enough, and appoint independent officers. The temperance people should have something to say in the appointments. If the officials were sufficiently paid and made independent, I think all laws can be carried out.

19668a. Would you have the officials members of temperance societies?—Not necessarily, I would have the temperance people have a say in their appointment.

19669a. To what extent do you mean by "having a say"?—Being part of a jury or committee to sit on cases of officers reported for not carrying out their duties, and to have something to say in their appointment.

19670a. But how would you have them appointed?—I always thought that the appointments were better when they were made by the Board of Commissioners, before Inspectors were appointed by the Government at all. They were easier got at if they did not carry out the laws, and were more responsible to the people of the city when they were appointed by a Board of Commissioners than they are now. They were more submissive to the people of the city who wished to see the law carried out, than they are now when appointed by the Government.

WILLIAM McVEITY.

*By Mr. Clarke :*

19671a. Do you mean it would be better in the interest of the enforcement of the law to have the police appointed by a committee of citizens?—I mean the Inspectors of Licenses. That is the way I understood the question of the Chairman.

*By the Chairman :*

19672a. Suppose a prohibitive law was enacted and attempted to be put in force, would it meet with much opposition in the city?—It would meet with opposition, certainly, but I think when the vote was taken Ottawa gave a majority in favour of prohibition.

19673a. Have you had prohibition at any time?—No.

19674a. Has an attempt ever been made to take a vote of the people here?—Yes, at the last municipal elections.

19675a. But have they ever voted at any time on the question of putting the Scott Act into operation?—I think they did once, I am not sure.

*By Judge McDonald :*

19676a. I understand you to say that in case of the enactment of a prohibitory law, you would think it well that the officials who are to enforce it should be appointed by a Board on which the friends of prohibition are represented?—I would.

19677a. Why would you make a difference in respect to that law?—I think if the people who are working so zealously for temperance had something to say with the appointment of the officers, the officer would do his work better.

19678a. Do you think it would be necessary for them to have merely something to say or something to do?—Something to do.

19679a. In other words, you think if a prohibitory law is to be made a success the friends of prohibition must not merely speak in favour of it but must be prepared to back it up by working for it?—I think so.

19680a. You have had a long experience as a police officer; do you believe any good is done to drunkards by sending them to jail for short terms of ten or twenty days?—I do not think so.

19681a. Have you known any man who has been reformed?—I do not think it helps them at all.

19682a. Do you think it would be in the interest of men of that class if provision were made for their being confined for a lengthened period in some refuge or industrial home where they would have occupation and be removed from temptation?—I think it would be better for them.

19683a. Are there any special reasons to which you attribute this great diminution of crime in Ottawa as shown by your statistics?—I think there is a decrease in drunkenness and where drunkenness is decreased, crime is decreased.

19684a. Do you think there has been an improvement in the temperance habits of the people?—I think so.

19685a. Do you think the people have grown more temperate?—Yes, I believe men are more ashamed to be seen drinking now than they were ten years ago. I think men are more inclined to go round to back doors instead of entering in the front on the streets, than they were twenty years ago.

*By the Chairman :*

19686a. Is that due to the enforcement of the law?—I think so. I think the law is pretty well carried out.

19687a. Is it more vigorously enforced than previously?—I think the parties who employ labour are more particular about having sober men to do their work.

*By Rev. Dr. McLeod :*

19688a. What police force have you?—We have 28 patrol men and 7 officers, 35 including myself. That is 2 less than we had last summer.

21—85½\*\*\*

19689a. Is it a sufficient force for your work?—Yes.

19690a. Would it be possible for you to give us from your records the returns of arrests for the two years prior to the Scott Act in Carleton County, for 1884 and 1885, as well as for the period during which it was in force?—I can get them to-morrow.

19691a. In regard to making arrests, we find that the rule varies in different places, for instance, in some places wherever a man is intoxicated on the street whether he is making a noise or not the policeman is expected to arrest him and take him to the station. In other places they only arrest men who are making a disorder, or who are in such a condition of helplessness that they are likely to get hurt or be robbed before they get home. What is your rule for making arrests?—If a man is going on quietly and is heading towards home, they let him go, especially if his friends are taking him home.

19692. But if he is making a disturbance or is likely to be injured, you have to take care of him?—Yes, or if he is staggering against people to annoy them.

19693a. This record, which is exceedingly creditable, I suppose it is attributable somewhat to the vigilance with which the police have discharged their duty?—I think we have a good force.

*By Mr. Clarke :*

19694. Do you think these 69 hotels and 39 shop licenses are required here?—I do not think they are.

19695a. Do you favour wiping out a few of them?—I think about two liquor stores would be quite enough for this city, and they should be separated altogether. There is no need of saloons, I think temperance restaurants are quite sufficient. I think eating saloons are the hardest places to catch when violating the law, because the dining table is made an excuse to drink. We have more trouble with them than with all the other taverns or saloons in the city.

19696a. You would be in favour of wiping out all the shop licenses and reducing the hotels?—Yes, everything that was not for the accommodation of the general public all around.

19697a. You thought the Scott Act was beneficial in the County of Carleton?—I did.

19698a. If the people of Carleton thought that way; can you give us any good reason why the Act was repealed? If the Act was doing good, it is perplexing to understand why the people should put it on the Statute-book and should afterwards repeal it?—Well, it was talked up that business was not so good, and that there was not so much buzz or fuss made, that things did not run as lively, and it would be better to try the noise again and get some more life by having liquor sold. I think that was about the feeling.

19699a. Was there more buzz and fuss and noise in Ottawa as a result of the Scott Act in Carleton County?—I do not think so.

19700a. Was there any jealousy existing amongst the merchants in the country towns and villages or were assertions made that the people, instead of doing business in the towns and villages, came to the city to do business?—They talked something like that, and said business was not as lively in the country, that it was duller. They thought that if they got liquor back again into the county, business would be more lively, that business would hum again.

*By the Chairman :*

19701a. The dullness was attributable to the Scott Act was it?—That is what they considered.

*By Mr. Clarke :*

19702a. The reason that has been given for the repeal of the Act in other counties is that it was claimed by country merchants that farmers and others came to the city to do their business, and that the merchants in the villages and small towns were injured thereby. Was there anything in that so far as Carleton was concerned?—I do not think there was anything in it, but they used that as an argument.

WILLIAM McVEITY.

19703a. Who used that, the farmers or the ex-hotel-keepers?—Both.

19704a. And the merchants?—Yes, you would hear them talk in that way.

19705a. But your own belief and experience are that the Scott Act did good while it was in operation in Carleton?—That is my opinion.

*By Mr. Gigault :*

19706a. You said that drunkenness was decreasing. Is the population of Ottawa increasing?—We are increasing every year, I think about 10 per cent.

19707a. Have you any houses of ill-fame here?—None in Ottawa, none that you can call by the name.

19708a. Do you think the license law is violated very often?—I think it is.

19709a. Very often?—I think so, I think it is violated every day.

19710a. Do you believe it is difficult to enforce a license law?—I think it is pretty hard. The parties that drink help the hotel-keepers and aid them to bother the police in finding it out. They all work together.

19711a. But did you not think it was easy to enforce any law?—I would say it is easy to enforce a law if you appoint officers and pay them. I think every law can be carried out if the penalties are made severe enough, but I do not think a \$10 fine for breaking a law is much of a penalty, and \$20 for breaking the Sunday law.

19712a. Is it not the duty of your police to see to the observance of the license law?—Yes.

19713a. Well, if it is not easy to enforce that law how can you contend it will be easy to enforce a prohibitory law?—Make the penalty for breaking the law so severe that the man will not do it a second time.

*By the Chairman :*

19714a. I think you also added that you would have a special force and special machinery to enforce the Act?—Yes, to carry it out.

19715a. Is it customary to have special machinery and a special force to put in operation any particular law, or do the officers and justices of the peace attend to all criminal laws in general?—I think they attend to all criminal laws.

19716a. But you think that a prohibitive law would require a special force and special machinery to enforce it?—That is my opinion. I think there is no other law in regard to which so many men will swear false to clear the party that breaks the law. I think there is no other offence that comes before the police court in regard to which so many men will take the Book and swear false.

19717a. My colleague asked the question and I do not think that he got a direct answer, and I am going to repeat it. Are there many offences committed at the present time against the law by the holders of licenses in the city of Ottawa?—I think there are.

19718a. Does your force make many arrests for breaches of the liquor law?—We bring up a good many.

19719a. You have told us there were so many taken up for illicit selling, but I do not think you gave us any idea of how many licensed vendors are arrested for breaches of the law?—I cannot tell you from memory just now.

19720a. Is it a large number?—I think we have about fifty cases in a year. But I could tell you to-morrow.

*By Mr. Clarke :*

19721a. Would you favour the enactment of a prohibitory law prohibiting the manufacture, importation and sale of liquor?—I would.

19722a. In the event of the passage of such a law, would you compensate persons who are engaged in the traffic?—I would for the manufacturer. I do not think a man should be deprived of his property in a business that the law has allowed to be carried on for such a length of time.



19723a. Would you compensate the brewers and distillers. Would you also compensate the retailers?—I do not think the retailers would require compensation, I would not go that far.

19724a. Why would you not compensate the retailers?—These people who have saloons and hotels have got a lot of glassware and fixtures of different kinds that would be of no use to them?—They are depending from year to year just on the good will of the Board of Commissioners who give them the license, and they have no security that their license will be continued. Brewers and distillers go into heavy expense.

19725a. Your compensation would be confined to the people who manufacture?—Yes.

19726a. Were you ever in Maine?—A little in Portland.

19727a. What experience did you have there of the operation of the prohibitory law?—I think I never saw so many people sober for two weeks together as I did in Orchard Beach.

19728a. When was that?—Two years ago and three years ago, about the first week in August.

19729a. It was remarkable for the sobriety that characterized the place?—Yes. Any parties that I saw the worse for liquor, I knew they brought it with them to the beach.

19730a. What about Portland?—I was not very much in Portland.

19731a. Did you have any experience in any other parts of the State?—Not in the State of Maine.

19732a. In Vermont?—Not much in Vermont.

*By Judge McDonald :*

19733a. What class of people were at Old Orchard? Were they tourists, like yourself?—Yes, tourists.

The Commission adjourned.

OTTAWA, March 10th, 1894.

The Commission met this day at 10 o'clock ;

*Present :*

SIR JOSEPH HICKSON, Chairman, presiding.

JUDGE McDONALD.  
E. F. CLARKE.

REV. DR. McLEOD.  
G. A. GIGAULT.

GEORGE JOHNSON, Statistician of the Department of Agriculture, on being duly sworn, deposed as follows :—

*By Rev. Dr. McLeod :*

19734a. How many years have you been occupying the position of Government statistician?—Officially for about six years, but unofficially a great many years.

19735a. We have had to do a good deal with your tabulation of figures, and as not many men are able to deal easily and perhaps accurately with statistics, we come to you for a little light : at least I may say, for myself, that there are some things in the statistics upon which I would like a little light. Take, for instance, the statistics of crime ; I find what seems to me to be in some of the earlier years a lack, making a comparison a little difficult if not inaccurate. Have you a list of magistrates in the various provinces ?—Yes.

19736a. Do you send forms to them for return ?—Yes.

19737a. And do you get those forms filled up and returned to you ?—Yes.

19738a. Do you get returns from all of them ?—I think so, we get pretty nearly all now, so far as I know. Some few years ago, we did not get as full returns, from the Province of Quebec especially, as we would like, and we sent a special messenger through the province to inform every one of the necessity of having full statistics in order that they might be valuable for purposes of comparison. Of late years, I think they are as full as we can get them.

19739a. They are nearly complete, then, in late years ?—I think so, for all provinces.

19740a. And nearly satisfactory ?—Well, they are never satisfactory, in this sense, that we always want to have them better if we can get them ; we want them perfect if we can get them so, and we are always pressing for that point.

19741a. Now, I take the New Brunswick statistics for 1872. I find in the record that in New Brunswick for that year there are seven counties not mentioned. Would that be because the magistrates in those counties had not made returns ?—No, I think not, for I do not know of any that have not made returns.

19742a. Why are those seven counties omitted from the record for that year ?—Because the returns, I presume, were nil, nothing but blanks came back.

19743a. But you are supposed to get returns from all the magistrates in all those counties ?—That is the way we get those returns. It is under a law that Mr. Blake had passed.

19744a. I find that Victoria, Madawaska, Restigouche, Gloucester, Sunbury, Queen's and Albert, or seven out of the fifteen counties of New Brunswick, either made no returns, or there had been no offences ?—If I knew what you wanted to find out, I could make a note of it and make an examination. Madawaska, for instance, is not a county.

19745a. Madawaska is a county, for provincial purposes?—Yes, but not for Dominion purposes.

*By Judge McDonald :*

19746a. It is included in Victoria, perhaps?—Yes.

*By the Chairman :*

19747a. Are you in the habit of mentioning the counties when there is no information regarding them in the returns?—No, if there is nothing but blanks.

*By Rev. Dr. McLeod :*

19748a. I find in the returns for 1890, these counties were omitted : Albert, Restigouche, Sunbury, Queen's, King's and Madawaska, but Madawaska was included in Victoria. I find also that in 1890 St. John County reported a total number of convictions of 1,519, and St. John City reported 1,520, St. John County including St. John City, so that the city had one more than the city and county together. The question I would like to ask is this, was all the crime in St. John County committed in St. John City, or did you only get returns from St. John City?—I will take a note of that and look into it.

19749a. The same thing was true of York County in 1890. York County reported 232 cases, and Fredericton alone reported 233?—With respect to that, what do you wish to know?

19750a. The point is this : Is there any return of any crime for York County outside of Fredericton?

The CHAIRMAN.—The object is to find out if these returns are correct.

Judge McDONALD.—In the case of Fredericton, the city is included in the electoral district.

Mr. JOHNSON.—For local purposes, it is a municipality separate and distinct by itself, and we keep the city and county separate. They have two Stipendiary Magistrates, for instance.

Mr. CLARKE.—Would it not be well if Mr. Johnson were given a memorandum for these counties, for the statistics seem to be misleading and inaccurate, and give him an opportunity of looking them up?

Mr. JOHNSON.—I would like to have them in detail.

Rev. Dr. McLEOD.—I will give the figures for 1892. Carleton County, 59; St. John County, 1,337; York County, 228; Westmoreland, 238. Now, in that same year the towns in those counties, respectively, show these figures : Woodstock, 59; St. John City, 1,336; Fredericton, 228; Moncton, 247; that is to say, that while the whole of Westmoreland, including Moncton, had 238, Moncton itself had 247.

*By the Chairman :*

19751a. What about the boundaries of those counties? Are they boundaries for elections to the House of Commons, or for judicial purposes?—In the Province of New Brunswick the subdivisions are by parishes. They are perfectly distinct; there has never been any change from redistributions in the county—unless you call Madawaska a county—for local purposes. We do not call it a county for Dominion purposes.

*By Rev. Dr. McLeod :*

19752a. Now, besides that, I find there is a page in the criminal statistics dealing with cities and towns alone, and I find that there is a classification of juvenile offenders, convicted under the Juvenile Act. Are they to be added to the crimes, stated in another column, or, are they separated? For instance, I find in St. John City sixty-five juvenile offenders in 1890. I want to know whether they ought to be added to the 1,520, or whether they are simply subtracted for the purpose of showing there were that many juvenile offenders. Now, I ask these questions because, when I look into Prince Edward Island, for instance, I find that Queen's County, in Prince Edward Island, in 1892, reported 444, and Charlottetown, which is in Queen's County, reported 411, which would

GEORGE JOHNSON.

leave some to be charged to the county, while that is not true of the others; and, it has suggested itself to me, that, possibly, Prince Edward Island sends full returns?—I fancy so; I could not say from memory. I never burden my memory with details, so far as I can help it.

19753a. It also suggests itself to me that, in New Brunswick, except in a few cases, only the cities send full returns. Now, leaving these provinces, I notice two or three things concerning Quebec. For instance, in 1890, only fifteen counties or districts reported. How many are there in Quebec?—There are sixty-five altogether.

19754a. In 1892, there were 16. Do you understand that only 15 or 16 of the 65 reported, and that the others reported nothing, or if they reported, they reported no crimes?—I am speaking of 1890 and 1892?—I will take a note of it.

19755a. Not only that, but did the others, though they had no crime, make reports? I want that also?—If there was no crime reported, the statistics would be blank.

19756a. I want to know whether you have got statistics or not. Of course if you did get statistics from all of them, it follows you got no statistics of crime from some of them?—The only way in which I could answer the question, would be to give you the number of blanks.

19757a. I find in reference to convictions for all offences in the Dominion, in a table covering the years from 1891 to 1893, there is shown an increase of from 6·76 in 1881, to 7·13 in 1893, per thousand; and an increase also in the Dominion at large for drunkenness, from 2·25 per thousand in 1881, to 2·52 per thousand in 1893; also an increase of violations of the liquor laws from ·40 to ·53 per thousand; and an increase also for violations of the municipal law,—indeed an increase all over. Ontario shows a decrease in the total of offences, and also in each class except prosecutions for violations of the liquor law. Prince Edward Island shows a decrease all round. Quebec, Nova Scotia, and New Brunswick show a steady increase. Now the question I want to ask is this, are Ontario and Prince Edward Island the two provinces which make the nearest to full returns?—The Province of Ontario certainly would show the nearest to full returns of any of the provinces.

19758a. Does not Prince Edward Island make nearly full returns?—I could not say, I do not recollect.

19759a. I have been led to believe that from the fact that in our inquiries we found more full and satisfactory returns from Prince Edward Island than from any of the other provinces?—I could not say.

19760a. In Prince Edward Island, I think, the Magistrates report the crimes to headquarters and they report here?—Yes.

*By the Chairman :*

19761a. Do the Magistrates' returns not come directly to you?—Yes, from all the provinces, under the Act. We get no returns from Provincial Governments.

*By Mr. Clarke :*

19762a. Would that account for the figures between the Provincial and Dominion statistics?—I do not know, I never compared the two. We just keep to our own figures, we do not examine the provincial figures at all, or anything else where we cover the same ground. I am endeavouring now to work in with all the Provincial Governments so that the full force of both Governments shall be employed for the purpose of securing better returns than can be furnished by either one separately. I think in a year or two we may be able to handle statistics jointly, but at present we do not.

*By Rev. Dr. McLeod :*

19763a. The thought I had was this, that since Ontario and Prince Edward Island have been apparently making fuller returns for a number of years, or nearly full returns, than the other provinces, their present and their past are more fairly compared than the present and the past of the other provinces?—I cannot say yet. In the Province of Quebec we have had a steady growth of interest in the subject, and a much more complete statement of late years than we had in the earlier years.

*By the Chairman :*

19764a. Has not the tendency been in the Province of Quebec to enlarge the number of offences in later years as compared with previous years?—That is so all over the Dominion.

19765a. But that is more particularly the case in the Province of Quebec?—I think Quebec, in earlier years, had not so many offences as the other provinces.

19766a. Then you have a little difficulty with the dual language perhaps in making up your returns?—No difficulty in that. We have a French expert who takes hold of that.

19767a. I think you have stated in your communications to me that the earlier returns from the Province of Quebec were much less accurate than the more recent ones?—Very much.

19768a. The effect of that would be to magnify the crime in the later periods?—Yes, for the purpose of comparison. In fact it is difficult to make comparisons with any degree of satisfaction for a period later back than four or five years. Since that time we have better returns. But the returns of the Dominion as a whole, for five or six years back especially, I think are about as complete as you get them from any country.

*By Rev. Dr. McLeod :*

19769a. Though the returns in the earlier years were incomplete?—Yes.

19770a. Is that true of Nova Scotia and New Brunswick?—Yes. We are constantly pressing upon them every year the necessity of making complete returns, and the people of Canada are more and more statistically inclined every year. They see the necessity for it, and they are taking now a very much greater interest in the matter than they ever did before. Some time ago I sent out about seventy-five returns for something, and I got back sixty; that is a very good proportion. I find all the way through that they are coming to see more and more the necessity for this; and what they can do by voluntary effort—for we do not pay any of them—they are very willing to do. It is much more satisfactory in every sense now.

*By the Chairman :*

19771a. The fact of the omission to make returns, that is to say, either their not being sent in, or crimes not being included, would be to diminish the volume of crime as shown by your statistics. Suppose you take New Brunswick. If you had five or six counties that had not made full returns, the effect would be to show crime in New Brunswick lower than it actually was?—They have made full returns during recent years, and did make them in former years.

19772a. I am speaking as to the effect?—It would reduce the percentage.

*By Rev. Dr. McLeod :*

19773a. It is a matter of comparison I want to get at?—I understand the Chairman has one idea and you have another. You have an idea of a comparison from year to year for a series of years, and the Chairman wants to know whether in recent years the omission of these counties you speak of would not be an argument in favour of the crimes being greater than specified.

19774a. Exactly, and if returns in the earlier years were less complete, still it would appear that a comparison between now and then is not quite fair?—That is the other side.

19775a. It may be possible that crime then was much greater than it is now, whether the omissions in the earlier terms were more than the omissions at present?—I was going to say we might tabulate a statement for the use of the Commission, which would give the names of all the counties for a term of say eleven or twelve years and in that way, giving the returns from year to year, stating which counties sent returns and which did not, you would at once have a certain body of statistics based on returns.

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*By the Chairman :*

19776a. If you could do that, at a not extraordinary cost, it would enable us to determine whether the returns were more fully made in the one period than the other?—It would do more, I think. Supposing you got eight counties in the province of New Brunswick which had an uninterrupted return for a period of ten years, you would then establish a percentage of crime out of those ten which could be applied to the rest of the population, and in that way get an approximate of the total crime of that province.

*By Rev. Dr. McLeod :*

19777a. While the several provinces are making fuller returns now than formerly, I understand you to say they are not even now making what you regard as perfect returns?—Well, we do not regard them as perfect if there is by any possibility one man who escapes.

19778a. So that neither now nor in the earlier years do the records you have show the whole truth about crime?—I do not think there is any country in the world where statistics are exact in any sense.

*By the Chairman :*

19779a. You consider the later returns as accurate as such returns usually are anywhere in the world?—Yes.

*By Rev. Dr. McLeod :*

19780a. But the earlier returns are not nearly as accurate as these later returns are?—No.

19781a. There is another point I want to suggest, that if the earlier returns from New Brunswick, Nova Scotia and Quebec, had been as nearly complete as the later returns, a comparison would show a decrease of crime in those provinces instead of an increase?—I do not say that in New Brunswick and Nova Scotia they would not, for I do not know. In the Province of Quebec I do know that they are not as complete. Reserving that point, I agree with what you state.

19782a. Besides, if the returns in all the years had been equally complete or equally incomplete, is it not probable that the Dominion at large would show a decrease in crime instead of an increase, the same as Ontario shows a decrease and Prince Edward Island shows a decrease?—I cannot tell. It is a mere matter of speculation.

19783a. Because of the particularly incomplete character of the returns in the earlier period?—For the Province of Quebec, yes. I could not say as to the other provinces, I never examined them carefully.

19784a. I would be very glad if you would look into that a little carefully, because a great deal depends upon whether the returns are full or not. For instance, I find that in 1890, in Kent County, New Brunswick, there was no record of any violations of the license law, or of any drunkenness at all?—What is the shire town of Kent County?

19785a. The shire town is Richibucto. You would have that town, Buctouche and other places, and still there is no record of any drunkenness or violation of the license law. In Gloucester County there is a record of four drunks, but no violations of the license law. In Victoria County, which is notorious in some of its sections for drinking, there is no record of a drunk nor of a violation of the license law?—There may have been prosecutions for violating the law but no convictions. There are a great many cases of that kind.

19786a. The only anxiety I have is to get at the facts about the completeness or otherwise of the returns?—I think your criticisms will be very useful and helpful to us.

19787a. Not being a statistician myself, perhaps I do not quite appreciate the relation of those tables to each other, and I am anxious to find out. Now, I have here a paper of yours, and there are several questions I want to ask you about it, for I do not quite understand it. It is a paper prepared on the Scott Act?—I never wrote on the Scott Act.

19788a. You were asked to make up some statistics designed to show the effects in various ways of the Scott Act?—Yes, the Chairman wrote a letter to Mr. Foster which

was passed over to me, asking the total number of convictions in the several provinces, the number and character of the cases and so on.

19789a. In your paper, I see you had made some previous reference to the Scott Act in Ontario, and you state that it was difficult to compare some of those divisions because they did not coincide, and then you go on to say.

There is, however, in the Province of New Brunswick a group of nine counties whose territorial divisions have remained the same. These counties have been under the Scott Act for more than ten years. They are all connected geographically. They contain 61 per cent of the whole population of the province.

Then you go on to make a comparison in respect of crime, and you say that 61 per cent of the population of New Brunswick being in Scott Act counties, had 38½ per cent of the crime; and 39 per cent of the population of New Brunswick being non-Scott Act counties, had 61½ per cent of the crime, which would seem to the reader to mean that there had been a marked improvement in the matter of crime in the Scott Act counties. Yet you say later on, this:

It would seem that the result of the investigation is to show that in a general way the Canada Temperance Act has not reduced crime.

I was wondering how you reconciled those two statements?—Please read the whole of my statement.

19790a. "But that where it has been under the most favourable conditions imaginable these criminal convictions have materially decreased." Now, what does it mean?—It means what is a fair deduction, I think, from the figures.

19791a. What do you mean by saying "in a general way the Canada Temperance Act has not reduced crime"?—Taking the whole Dominion through.

19792a. Did you expect the Canada Temperance Act to affect crime in places where it was not in force?—Well, Dr. McLeod, I did not expect anything about it. I did not know the first thing about the Canada Temperance Act statistically, or any other Act. I simply take the figures as I find them, and apply them. If my logical faculty is at fault and I make a wrong deduction, I cannot help it, that is my failing.

19793a. I would very much hesitate even to imply that?—I am always very careful about making a statement, but if I have to make a statement I make it after careful consideration. I may be wrong, I do not say that anybody is logically infallible. There may be an error in the statement, but the statement is made in good faith, and it is made as the apparent result of the general investigation. The last clause of that statement refers to the temperance counties throughout the Dominion.

19794a. I thought perhaps that statement in a general way referred to the province as a whole?—No.

*By the Chairman:*

19795a. You are asked if you expect the Canada Temperance Act to affect places where it was not in force. If the Canada Temperance Act was in force over a very large portion of the Dominion, would it not be a reasonable deduction that it should affect the total volume of crime, that is to say, if it had that tendency at all?—It would affect the crime of intemperance, if you call that a crime. Take those counties in the Province of New Brunswick, they are all on the river, and quite easily connected with St. John. Assuming that the crime of St. John is unduly or abnormally increased, it might be because the people leave these counties and come down to St. John and get drunk, and they are hauled up before a Stipendiary Magistrate and fined. The city of St. John is therefore held responsible for all the crime of these counties. That might illustrate the very case Dr. McLeod has brought up. I would not undertake to say that the crime properly attributed to those river counties has decreased, it has merely shifted its position.

19796a. I will ask a purely abstract question. Given that the effect of the Canada Temperance Act is to reduce the volume of offences, given that it is in operation over a half or three-quarters, or the entire area of a section of a province having a large population, would it be a fair deduction, supposing the first premise to be correct, that there should be a reduction in the total volume of offences in the Dominion?—Well, I am not sure that the first premise is correct.

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19797a. I do not say that it is, because it is a matter of contention. I say, supposing it to be?—Well, I would like to look into that more carefully, because my own experience is that if you have a certain class of crime more strictly attended to by the law and by persons who are interested in enforcing that law, the chances are that crime will break out in some other direction.

19798a. I think you mistake me. I do not assert that the Canada Temperance Act has reduced the volume of offences. I say, supposing the contention is correct, would you not expect, if it was in operation over a large area of the Dominion, that the statistics would show a reduction in the total volume of the offences?—Of offences, but not of crime. That is to say, a good many men will commit offences when they are half drunk, that they would not commit when they are sober.

*By Rev. Dr. McLeod:*

19799a. It occurred to me that, possibly, you had reference to the province in this statement?—No; I think you will notice that it refers to the whole Dominion, and is in answer to the very first statement asked for. I think that paragraph would better have been below rather than above, as, from its position, it seems to relate to the Province of New Brunswick.

19800a. I notice that, in table B, you give the crimes in the Scott Act counties in New Brunswick in detail, because it is that group of counties you refer to. But you have not given any table of the crimes in non-Scott Act counties?—They are so grouped for this reason. For instance, take the city of St. John and the County of St. John. I think the city of St. John has had the Scott Act carried, but never enforced.

19801a. You are mistaken?—No; I am right. Carried, but never enforced.

19802a. If you will permit me—although you are Dominion Statistician, you are incorrect on that point?—No, sir; I am right.

19803a. The nearest St. John City ever came to carrying the Scott Act was within two votes?—They carried it by four votes under the decision of the court, but so small was the vote that it was never enforced. You see I am right.

19804a. We will not discuss that, but it is one of the cases in which official statistics are incorrect and personal knowledge is correct.

The CHAIRMAN.—But Mr. Johnson speaks of some action of the court.

Rev. Dr. McLEOD.—There was no action of the court. It was the action of the voters by a majority of two.

*By Judge McDonald:*

19805a. Is it not a fact that what is now part of the city of St. John, and which was formerly Portland, was under the operation of the Scott Act?—That is only within recent years. But, leaving that subsidiary discussion, I found that what I wanted to do under the reference to me, was to find somewhere in the Dominion of Canada a group of counties which would be contiguous to each other, and would, in that way, be much more useful for the purposes of investigation, as I understood them, which were to find the exact truth. The only way was to take some group of counties somewhere in the Dominion, which would be contiguous to each other and also be under the Scott Act. In New Brunswick, if you take Charlotte and York counties, and right across Sunbury and Queen's, to the Gulf shore, you find them all Scott Act counties with the exception of the county and city of St. John, which lies midway between them. We had, therefore, in the Province of New Brunswick the only place in the Dominion where there was a large area covered by Scott Act conditions; and, therefore, I thought we could make a much fairer statement of the case with that area, than by taking an isolated county, surrounded by non-Scott Act counties, or an isolated county, surrounded by Scott Act counties. The case of St. John is a case in point. The people poured down from the Scott Act counties into the non-Scott Act counties in order to get liquor and to get drunk afterwards. I think if you will look over the whole Dominion, you will find no other group of counties in the same circumstances as this group in New Brunswick.



19806a. But that is not answering my question. In making that statement, in table B, about Scott Act counties, you gave them in detail, that is you gave a list of Scott Act counties and the crimes of each in detail; but when you gave statistics about the non-Scott Act counties you did not give them in detail, you simply grouped them, and the question arose in my mind why you did so? Was it because in the non-Scott Act counties there were incomplete returns?—I did not think it necessary for the purposes of investigation to spend a week over something that did not seem to bear on the point.

19807a. It occurred to me that since you gave in detail the Scott Act counties, in order to be perfectly accurate there ought to have been a detailed statement of the others?—We can prepare it.

The CHAIRMAN.—I do not think it was asked for.

Rev. Dr. McLEOD.—I am not asking for the details, but I am simply saying that for the purposes of comparison the data should be of a similar nature in both cases.

Mr. JOHNSON.—Mr. Clarke will understand the position. Our rule is to follow copy even if it goes out of the window. We are supposed to have no prejudice. So far as I am personally concerned, I do not care an iota what the result is if I can get at the facts.

*By Rev. Dr. McLeod:*

19808a. I did not suppose you did, and I am not inquiring about your opinions or belief, but only to get at the nature of these statistics, so that one may know just how much value to attach to them, and how much a comparison is worth?—In a matter of statistics it is indifferent to me whether I am dealing with hogs, or logs, or dogs, or human beings, or what else.

19809a. You know there is an adage that figures will not lie, but we are learning that if figures are not complete they give a misleading impression, although in this case I do not think it is the fault of the compiler?—I do not think that figures lie; I think the mistake is in the application of the logical faculty to what they mean.

19810a. Is not this true also, that figures may not lie, but if you have not enough of such figures as you ought to have, a wrong impression is given?—It often happens that if we have not complete figures of the same kind from year to year, we may have an incomplete statement from year to year. For statistical purposes they are just as good as if they were complete, although for our own purposes we like to have them as complete as possible.

19811a. But if you have incomplete returns in 1890, and in 1892 you have complete returns, it is not at all fair to compare the condition of things as indicated by these returns in 1890 with 1892?—That is what I have said all along.

19812a. That is precisely what I want to get at, whether these early figures were equally complete with the present figures, or whether they were equally incomplete?—Well, we obviate that difficulty to a certain extent as we do the difficulty in regard to the ages of the ladies in the census.

19813a. Guess at them?—No, we do not guess at them, but we put all those between twenty and thirty in one class, and when a lady says she is 25 or 29 or whatever it is between those figures, we put her in that class; keeping her between 20 and 30. They may forget to a year, or two, but not by ten years. Now, in the case of these incomplete statistics we take them by five year periods, and in that way we rectify the mistakes of the earlier years by the completer returns of later years, and so we get very close to accuracy.

19814a. I notice there is another table here that refers to the increase of population. You go into birth and death statistics, and in the third paragraph of the last page you say there was a decrease of population in the Scott Act counties as compared with the non-Scott Act counties?—Yes.

19815a. Now, I will tell you what occurred to me, and if there is anything in it you will confirm my impression. The Scott Act counties are Carleton, York, Sunbury, Queen's, Charlotte, King's, Westmoreland, Albert, and Northumberland. The non-Scott counties are, St. John County and City, Kent, Gloucester, Restigouche, Victoria and Madawaska. Did this occur to you in making your calculation, that every county which shows an increase in population has a large French population? Does this leave

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any effect?—Well, I do not know why the French population should be better than the others, if that is what you mean.

19816a. Is it not a fact that French families are much larger than the families of other nationalities?—No, it is not a fact. It is the general opinion, but it is a fallacy.

19817a. That there is not a larger natural increase in the French districts than there is in the English districts?—No, it is a mistake. Throughout the whole Dominion the ratio of increase of other nationalities would be represented, perhaps, by 5·4, and the French by 5·5.

19818a. One county in which there was a large increase but which had no French population, was York, which is a Scott Act county; and this occurred to me—perhaps you will tell me whether I am correct—St. John and York, neither of which has any French population, may fairly, be compared, perhaps, as to increase or decrease of population?—St. John has more manufactures. York has Marysville, which has a very good population.

19819a. I noticed that St. John, which has a license law, decreased 7·5 and York, which has the Scott Act, increased 1·0. Then I wondered why you did not make some reference to Prince Edward Island in the matter of increase or decrease of population so far as it relates to the Scott Act. There are three counties in Prince Edward Island, King's, Prince and Queen's, and Queen's is the only one which shows a decrease of population and that is the county which repealed the Scott Act. Does that have any effect at all?—I think Charlottetown royalty is a separate municipality from the other royalties, and they are included in the census figures. But we have had to make a little difference there in consequence of the mistakes of former years including the royalty in the population of Charlottetown, and I think there is a small population in the royalty as distinct from the other municipality, but it was all put down for Charlottetown.

*By Judge McDonald :*

19820a. Are you able to state whether the decrease has occurred in the rural districts alone, or whether it occurred in the city of Charlottetown?—No, we would not be able to do that.

*By Rev. Dr. McLeod :*

19821a. Since the effect of the Scott Act upon the population was being considered, it has occurred to me that your comparisons might be carried further. For instance, in Nova Scotia, Cumberland County shows the largest increase in population, and I think it has had the Scott Act since 1883. Antigonish shows the largest decrease, and it never had the Scott Act?—In Cumberland there is Springhill and all that mining region. Antigonish has but a small village. As I explained already, I thought my work was sufficiently done when I took a group of counties and examined them. I did not examine all the others, I could not bother my head with them, because I said, there is one group of counties which exhibits in the fairest possible way certain effects of something or other, it may be the Scott Act or it may be something else, I cannot say, I examined the statistics of those Scott Act counties to see what their condition is, and I took another group of counties with a condition of things similar to theirs, having selected from the very best examples I possibly could, but with the Scott Act dropped out.

19822a. There is another item in your return that I would like to inquire about, and that is the matter of capital in table F. You go on to show that the capital employed in manufactories has increased at a greater rate in non-Scott Act counties than in Scott Act counties. You say that the increase was 3·41 per head greater in non-Scott Act counties than in Scott Act counties. Now, it may be because I have not statistical skill or knowledge, which I freely grant, but I will tell you what occurred to me and you may tell me if I am right. In 1881 the Scott Act counties had \$3,865,531 employed in manufacturing, and that grew in 1891 to \$8,608,648. In the non-Scott Act counties there was employed in 1881, \$4,559,751, which increased to \$8,000,107 in 1891. Now, if the non-Scott Act counties had increased their capital in the same ratio, they would have had in 1891 over ten million dollars instead of eight millions. That is

the impression I got. Am I correct?—The statement here is that in the Scott Act counties the capital increased from \$3,865,531 in 1881, to \$8,608,648 in 1891.

19823a. The proportion may be gained this way, as three is to eight so is four to ten. Now, if that proportion is carried out, the capital in the non-Scott Act counties would be over ten millions in 1891, instead of eight millions, if they had made the same increase as the Scott Act counties. Is that correct?—That is correct. In speaking of capital, we might put it upon the per head basis, which is the only one we could apply to it.

19824a. Do you know whether it is possible for us to get from any returns, the number of men whose employment is exclusively with the liquor traffic?—You can get them, I have no doubt, by applying to the Internal Revenue Department and the Customs Department.

*By Mr. Clarke:*

19825a. Could we obtain from you some specific information with regard to convictions in the County of Halton, for the six years during which the Scott Act was in force, also for the three years preceding that period and the three years subsequent to it?—Yes, I think the Chairman will tell you that we have never refused anything that we could possibly furnish.

The CHAIRMAN.—I desire to say that you have been most obliging in supplying all the information that has been asked for, and to the fullest extent possible.

Mr. JOHNSON.—I am very much obliged to the Commission for pointing out any mistakes that they have discovered in the statistics. There is one very important thing that my predecessor had overlooked, and that is in relation to statistics in the Northwest Territories, where the Commission has done as much good from a statistical point of view, as all the money that has been expended in enabling us to get full returns.

The following letter was subsequently forwarded to the Commission by Mr. George Johnson:—

“OTTAWA, 19th March, 1894.

“SIR JOSEPH HICKSON, Chairman, Royal Commission on Liquor Traffic,  
“Montreal, P. Q.

“DEAR SIR JOSEPH,—In accordance with my promise, I send answers to the questions asked by the Rev. Dr. McLeod:

“1st. In all cases, returns of criminal statistics are forwarded by the proper officers to the Department of Agriculture. When in any case no offences have been charged, returns are sent to us in blanks. This is an arrangement for all the provinces.

“2nd. In the case of Quebec province, the several electoral divisions are grouped into twenty judicial districts by chapter 2, Revised Statutes, Quebec, 1888, section 4, 70. The Criminal Statistics for the 65 electoral divisions are thus obtained.

“3rd. I find on examination that the table in the Criminal Statistics blue-book published by the Department of Agriculture—relating to crime in certain cities is misleading. It cannot be used with any certainty because in many cases the returns are for the county of which the city is the seat of the court. The table errs in such instances in attributing to the city all the crime, whereas part of it was committed in the county outside of the city. The table has appeared in the blue-book for several years, having been given a place by my predecessor.

“A year or two ago I altered the heading of one of the columns, hoping thereby to make it more accurate and as it had a certain value I retained it. But as I observe that it has misled some students I have dropped it in the Criminal Statistics of 1893.

“Rev. Dr. McLeod and I had a divergence of opinion on the point whether St. John County had ever put in force the Scott Act. I find from the record that it passed the Scott Act in 1886 by a majority of 43. But the Act, though proclaimed, was never put in force. Probably the Doctor and I misunderstood each other. He possibly was thinking of the city and I of the county which then included Portland, if I mistake not.

“I remain, yours very truly,

“(Signed)

GEORGE JOHNSON,

“Statistician.”

GEORGE JOHNSON.

VENERABLE ARCHDEACON J. S. LAUDER, of Ottawa, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

19826a. You are Clerk in Holy Orders in the Church of England?—Yes, and Rector of Christ's Church, Ottawa.

19827a. How long have you been Rector of Christ's Church?—Over thirty years.

19828a. Will you state the counties that are within your Archdiaconal district?—There are eight counties in eastern Ontario, Renfrew, Lanark, Carleton, Prescott and Russell, Stormont, Dundas and Glengarry.

19829a. Do you know whether any of these counties at any time have been under the operation of what is called the Scott Act?—The County of Carleton.

19830a. Do you know personally if any of the others were?—I do not know where it was tried in any other County but Carleton.

19831a. Have you in the course of the discharge of your duties as Archdeacon, been brought into contact with the clergy residing in sections in which this Act has been in force?—Yes, constantly.

19832a. From information obtained from them did you learn what the results were, that is to say, whether the results of the Scott Act in the counties in which it was in force, had a tendency to decrease drunkenness?—No, I think all our clergy found it was a failure, so far as I have heard them speak of it, and a bad failure.

19833a. Have you had any personal experience of the operation of prohibitory law in any other country?—None.

19834a. Has the Scott Act ever been in force in Ottawa City?—No.

19835a. As a citizen of Ottawa, and as Rector of Christ's Church, have you had an opportunity of observing how the provisions of the license law are carried out in this city as regards the closing of places upon Saturday nights and Sunday, and sale to minors and drunkards?—I think they have been carried out fairly well.

19836a. You never heard any complaints?—I never heard any strong complaint about the non-enforcement of the License Act.

19837a. Have you been troubled at all by having any such places in your neighbourhood?—None in the immediate neighbourhood.

19838a. As a clergyman and also as a citizen, do you find that there is much drunkenness in the city?—No, I do not think there is. I think that Ottawa is probably the most moral city for its population you will find anywhere. You very seldom see drunken people. Of course in a large population like this, you will find occasionally a few who will break the law, but as a general rule, I think, this is a very quiet city. I am out a great deal at night and I never meet any drunken people.

19839a. We learned from the Chief of Police yesterday that since 1886 there has been a remarkable decrease in the number of arrests in this city. Now, I would ask you, as a citizen, whether you have noticed that there has been an increase of temperance habits in the community?—I think there has been a very decided improvement in that way in the city.

19840a. I suppose you see that in visiting the different parts of your archdiaconal district?—There is a decided improvement.

19841a. To what do you attribute this improvement?—The preaching and lecturing on the subject of temperance and total abstinence, I think, has had a very good effect.

19842a. Then you think the religious and moral influences that have been brought to bear have had very good success?—I think so. I think the religious influence and the moral influence are producing a good effect upon the community everywhere.

19843a. Do you think there is a larger number of licensed places in Ottawa at the present time than is needed?—I do not know how I could answer that question very well. There are always many more places licensed than there should be or need be. You will find that in all communities.

19844a. In the Church of England, what is the rule as to the wine to be used in the Holy Communion? Is it fermented or unfermented wine?—Fermented.

19845a. And that has been adopted by the church as a whole?—Adopted by the church generally. I do not think the church would use anything else.

19846a. Has it ever been the custom in the church through the centuries to use anything else?—Not that I am aware of, or ever read of.

19847a. Are you yourself favourable to prohibition in principle?—No.

19848a. Would you have any objection to state the reason?—Of course we take the highest ground of all, the scriptural ground, that it is not in accordance with the principle or teaching of scripture. We think it is an interference with a man's rights. We think that there are other vices that are just as injurious to the community as drinking. I do not think there is any other principle except a moral principle that can put it down, and I do not think that any law can rightfully be passed to suppress it. I think these are the opinions of the clergy of the church pretty generally.

19849a. In case of the enactment of a law prohibiting the manufacture of liquor, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I do not know.

19850a. Have you ever considered the matter?—No, I have never considered that. I suppose they ought to be compensated if they are deprived of privileges which have been considered at one time lawful rights.

19851a. Is there any other statement you wish to make to the Commission yourself on this question?—I think that a great deal is being done and can be done by religious and moral influences, and that a wonderful change has been made within the last twenty years in the drinking habits of the people. I think these influences are the very best power that can be brought to bear to prevent an evil of this kind. In my opinion it is not possible to prevent drinking absolutely. I think prohibition will lead to other evils, to illicit manufacturing and to smuggling of all kinds. How that is to be prevented is a question I cannot answer, but I am positive that prohibition will lead to these results. We might get rid of one evil and introduce a great many more.

*By Rev. Dr. McLeod :*

19852a. In your contact with families, during your many years experience as a pastor, have you found that the drink traffic and habit are the cause of much of the distress that you have had to deal with and that has given you pain?—Not in all cases, but in a great many cases it has produced these results.

19853a. Do you recall anything now which is in so large a degree responsible for unhappiness and distress as that one thing?—I do not think that drinking is the cause of all the troubles and misfortunes that happen to people. I think the drinking is often indulged in afterwards to cover up the shame and the disgrace which people have brought upon themselves through other causes. The great crimes that are committed in the present day are not, as a rule, committed by drunkards; they are committed by clever, intelligent men who are not at all addicted to drunkenness. Drunkenness does not always lead to murders or felonies, but it is often indulged in afterwards to cover up shame and remorse.

19854a. In many cases, then, you look upon it as an effect rather than as a cause?—As an effect.

19855a. Not speaking of large crimes, there is a lot of domestic misery and unhappiness, neglect of religion and neglect of children; have you found that a considerable percentage of that is attributable to drink?—No doubt a good deal of that is caused by drink. I think the facilities for getting drink are the cause of a great deal of trouble. If more restraint was put upon the facilities for procuring drink I think it would have a very good effect.

19856a. You think it would be well to decrease the facilities?—I think so. I hold that the sale of drink should be regulated by the Government, and we ought to have Government agencies for the sale of these things. People should not be allowed to go into taverns and sit down and drink. If they want liquor let them go in and buy it the same as they buy a pound of tea, and from a Government agent who has no object

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in selling. That is the idea of the Bishop of Chester. A good many of our bishops and clergy have been putting forward that view for a long time—that the sale of liquor ought to be made a Government business; then it will be properly regulated and freed from the difficulties that surround it in the shape of smuggling and illicit sale.

19857a. Would you remove the saloons?—Remove the saloons, which I think, are the curse of every community. If a man wants a bottle of wine or a bottle of brandy let him walk into a decent establishment and buy it and pay for it, and then walk out. Let him buy that from a Government establishment. There is no reason why that system should not be carried out. If we could arrive at something of that kind, I think all parties would be satisfied, and that the evils of drinking, especially among the poor, would be greatly curtailed.

19858a. I think your Chapter passed a resolution looking in that direction?—Yes, we did.

19859a. It is something like the Gothenburgh system that they have in Norway and Sweden?—Yes, then we could have pure liquor. A great deal of the stuff that is sold under the name of liquor now, is a mere poison, that is what does the damage. It is not liquor at all that is sold. If a genuine article could be sold, most of the evils of drinking would disappear. A tavern-keeper told me sometime ago that they manufactured what is called tavern whisky, which is quite different from the higher grade whisky which is sold to people who can pay for it. There is a quality of whisky called tavern whisky, I do not know what it is, but this tavern-keeper said a man would have to be educated up to drinking it. He said it was very little better than poison. That is the stuff our poor people are being killed with in those low groceries and taverns. If that could be prevented in any way, a great good would be done to the community.

19860a. You think then the adulterated article is more serious in its evil effects than the genuine article.

19861a. We have had testimony from a medical gentleman of large experience in one of the provinces to the effect that there is no ingredient which enters into the liquor as an adulteration more dangerous than the spirit itself. I suppose you have not given that matter study?—No.

19862a. The Bishop of Ontario, I understand from reading and otherwise, takes quite strong ground in dealing with the drink traffic; have you heard him make any public utterance?—No, I have not.

19863a. You do not know what his position is then?—No. I have not heard him.

*By Mr. Clarke:*

19864a. Regarding the treatment that is now meted out to drunkards as a punishment, do you approve of it? For instance, if a man is arrested for drunkenness he is fined one dollar and costs, we will say, or sent to jail for a week, do you think that has a good effect upon him?—I am utterly opposed to arresting drunkards and hauling them up before the court and exposing them to a gaping crowd. I am satisfied that the man who gets drunk suffers enough in the pain and disgrace. I believe it is the duty of the police to protect people who are not able to take care of themselves. I think if these men were brought home to their houses that is all the punishment that should be meted out to them. If you bring them up in the police court and fine them, it often happens that the punishment is not equal. One man will get ten days and a heavy fine, another man will be let off with twenty-four hours.

19865a. Respecting those who might be called confirmed drunkards, who are brought before the court again and again in the course of a year, and sent to jail for twenty or thirty days, has that punishment any good effect?—Not a bit.

19866a. Would you favour the establishment of industrial homes or sanitariums?—I think so. Sending them to jail does them no good.

19867a. Would you favour the establishment of inebriate asylums or industrial homes where they would be given special treatment for this habit?—I think that would be a very good idea.

*By Rev. Dr. McLeod :*

19868a. Would you establish these at public expense?—There is no other way to maintain them, on the same principle as asylums. There are so many causes leading to drinking that we do not see and understand in these poor creatures who are addicted to that habit, that I think it is wrong to drag them to the cells and bring them before the police court next morning. You do not benefit them at all; this treatment does not tend to make them more sober.

*By the Chairman :*

19869a. Are the associates with whom they are brought into contact in jail likely to improve them at all?—No, I do not think so. Sending a man to jail lessens his self-respect and makes him worse. I think that kindness, sending him home and taking care of him, will have a better effect upon the man than putting him in the cells and bringing him up before the police court next morning. I have always felt that.

REV. G. J. LOW of Almonte, Ont., on being duly sworn, deposed as follows:—

*By Judge McDonald :*

19870a. You are a clergyman at Almonte?—Yes, Clerk in Holy Orders in the Church of England, and Rector of St. Paul's Church, Almonte.

19871a. How long have you resided at Almonte?—Nearly seven years.

19872a. How long have you been in Holy Orders?—Thirty years. I was ordained in 1864.

19873a. As a clergyman, have you found in your experience that there is a large amount of suffering caused by drunkenness on the part of people in the community?—Yes.

19874a. And that oftentimes troubles arise from the intemperance of parents and members of families?—Yes.

19875a. Have you considered whether any changes could be made in the system under which intoxicating drinks are vended which would have the effect of diminishing the evils of drunkenness?—Some change might cause a diminution, but the difficulty in my mind is to settle on what change.

19876a. We understand that you have given a considerable degree of study to the question which we are charged to investigate. Taking the first question, of the traffic as it is at present carried on, can you suggest to the Commission any amendments to the present system that you think would be of benefit and in the interest of temperance?—To speak briefly, it seems to me that what is called the Gothenburgh system is the best and most workable, and another one which they are adopting in South Carolina.

19877a. That latter is a mixed system, called "the dispensary" system?—Yes.

19878a. Is it your idea that it would be of advantage to remove from the individual who sells the liquor the inducement of private gain?—Yes, I think it would be.

19879a. And to give the control of the sale to the State?—Yes.

19880a. Would you deem that it would be of benefit to have a frequent and thorough inspection of the liquors that are sold?—Yes, decidedly.

19881a. Have you considered the question as to whether it would be advisable to try, by legislative action, to do away with the treating system?—Yes, I think that is a very objectionable system, and that it might be done away with by legislation.

*By Mr. Clarke :*

19882a. How?—I could not say.

19883a. Could you suggest how, by legislation, the treating system could be done away with?—I could not, unless it was by doing away with all bar drinking.

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*By Judge McDonald :*

19884a. If either is to be done away with, have you considered whether it would be better to suppress what is called the saloon, or the hotel bar—by saloon I mean a place where travellers are not entertained, but a mere place for drinking, although there may be a restaurant in connection with it?—I cannot speak very well with respect to that, because I have not lived lately in any large place. In Almonte I am not aware of a single saloon such as you have spoken of. All the hotels have beds and accommodations for travellers, and people in the town who want to take a drink go there, so far as I know.

19885a. Are you acquainted with any of the men who are engaged in hotel keeping in Almonte?—Yes, I know the hotel-keepers.

19886a. What is their character as citizens?—Admirable. I have two of them as members of my own congregation. They are well conducted men, and their families are a pride to them, one of them especially. The son of one of them, a Bachelor of Arts, is now in Japan teaching a college there. The second son is a medical man, and all the other young men are of steady habits; the daughter, too, is a fine young woman. In fact I do not know of a finer family anywhere than that one.

19887a. Have you considered at all the question of the treatment of the habitual drunkard?—Yes, I have studied that question lately, and read all I could find upon the subject. My idea is that there are different kinds of drunkards. Dr. Searle, in the *North American Magazine*, had an admirable article on the idiosyncracies of alcohol. He said it acted in different ways upon different constitutions and different dispositions. There are some who have a natural craving for it which they cannot resist if temptation is in their way, although the number of such is small in comparison with the great majority. There is a large number of persons who, although they may exceed in alcohol for a time, turn from it afterwards. It seems to me that different constitutions should be differently treated. I would endorse what Archdeacon Lauder said with regard to arresting the drunkard on the street and committing him jail; I do not see much good in that. But the habitual drunkard, the man who cannot control himself, ought to be put under restraint.

19888a. In your own community how is the license law carried out by the men in the traffic as to observing the regulations in regard to the sale upon Saturday night and upon Sunday, and the sale to minors?—So far as I know, very well. I think I can answer for the one hotel-keeper I speak of, in fact the two hotel-keepers who belong to my congregation. As for the other two hotels, I do not know much about them, but we hear of very little disorderly conduct or anything of that kind in Almonte. There may be some of which I do not know. Occasionally I see a drunken man, but there are very seldom any rows or disturbance, so far as I know.

19889a. You heard the question put to Archdeacon Lauder as to the kind of wine used in Holy Communion?—Yes.

19890a. Do you concur in his answer?—Certainly, we do not call anything else wine but wine.

19891a. You mean the fermented juice of the grape?—Yes.

19892a. Are you favourable to prohibition?—Not by any means.

19893a. I mean in principle?—No, I am opposed to it, I may as well say to you that I wrote a letter to the *Globe* at the time the discussion was going on about the plebiscite, and I stated that although I had written against it a good deal, I would go in heartily for prohibition on two or three conditions. Putting them briefly, the first is, that it should be thoroughly established beyond all doubt that total abstinence was for the benefit of the race generally; and the second is that once established it should be carried out thoroughly. There were to be certain other conditions, and if you will let me read the letter that I wrote to the *Globe* I can acquaint you with them briefly and concisely.

The CHAIRMAN.—Gentlemen, will you allow Mr. Low to read his letter?

Mr. CLARKE.—Certainly.

Rev. Dr. McLEOD.—Certainly.



Mr. Low.—The letter was dated November 28th, 1893, and it appeared in the *Toronto Globe* of January 1st, 1894. The letter is as follows:—

“To the Editor of the *Globe* :—

“SIR,—I am glad you have opened your columns to a thorough discussion of the plebiscite question. We need an arena wherein both sides can have a fair show, and the question be thrashed out before the vote is taken.

“I am sure there are many opponents of prohibition like myself who would be at once converted and vote for it ardently, provided certain conditions were fulfilled. The primary condition to which I shall confine my present remarks is this : That it be proved beyond all question that universal total abstinence would benefit the race, or at all events, the people at large of this Dominion.

“This point seems to be evaded by both parties. The prohibitionists take it for granted, arguing from it as if conceded, while the anti-prohibitionists generally content themselves with the plea that moderate drinking ‘does no harm.’ If that is the best that can be said for moderate drinking, then I would vote for stamping it out. If moderate drinking is like the proverbial chip in porridge, neither good nor harm, then, in view of the manifest harm which excessive drinking works, let us go in for prohibition.

“But I cannot accept such a proposition. Alcohol is too powerful an agent to be such a neutral factor. It must either do good or do harm in every case. Now, a vast amount of such drink is consumed, moderately, by a vast multitude. Is it injurious to that multitude or beneficial? The country is now being put to enormous expense to ascertain the opinions of various individuals. The Royal Prohibition Commission have the last year or so been eliciting those opinions : they have no doubt by this time arrived at the conclusion that those opinions conflict. The acquiring of this information will cost the country, I suppose, some scores of thousands of dollars. Who will foot the bill? Largely the consumers of alcoholic beverages. Every gallon of whisky that is drunk puts \$1.50 into the Dominion treasury.

“The Ontario Government is going to have a plebiscite. Who will foot the bill of expense? Doubtless the revenue obtained from licenses will bear a part. So, after all, whether the consumers benefit or injure themselves, they certainly benefit their fellow citizens, for they bear an inordinate share of the taxation. If all this immense consumption produces nothing but injury, then the nation is guilty of crime in tolerating the liquor traffic for a single day, and doubly criminal in making money out of the vices and misfortunes of its people. If, on the other hand, the very many moderate drinkers have been benefited instead of injured by such consumption, then prohibition would be a crime. There, to me, is the whole thing ‘in a nut shell.’

“To settle this question we should have statistics drawn up by reliable and unbiased parties responsible to the Government. In these days, when total abstinence has been practiced by so many for a generation at least, and when the study of statistics and averages has become a perfect science, touching every matter, from the expectation of life for any individual to the probabilities of the next snow storm, surely such a compilation is possible. Let such an authentic, reliable statement be published, showing incontestably that universal total abstinence would result in greater average : 1, length of life ; 2, freedom from disease ; 3, freedom from crime, and 4, mental and intellectual power, and then we can have prohibition directly afterwards without trouble.

“But at present let me remind the prohibitionists that, judging from *prima facie*, facts and figures are against the theory.

“1. As to longevity, the report of the British Medical Association and Sir George Humphrey’s tables of centenarians, give a most marked advantage to the moderate drinkers.

“2. With regard to disease, as the case at present stands, those diseases which can be prevented or checked with the aid of alcohol outnumber in their victims those diseases which are caused or aggravated by drunkenness in the proportion of about ten to one.

“3. As to the freedom from crime, it must be mortifying to the prohibitionists to see that in the last United States census there were more total abstainers than drunkards who were murderers, and other instances throughout all the world are not reassuring. The Turks who committed the atrocities at Batouk were hereditary total abstainers ; the authors of the massacre of Cawnpore had never seen liquor, and the Bedouin, who would kill you for your buttons, would kill you also if he could for drinking beer.—*Spectator*. On the other hand the Puritans of New England, who indulged so freely in rum, were not an immoral people. Scotch whisky, after all these centuries of copious use, has not produced a nation of monsters in iniquity nor a race of physical or mental imbeciles. Dickens, Kingsley, Von Moltke, Emperor William I., Tennyson, C. H. Spurgeon, were not—every time they took their stimulants—possessed with an insane desire to go and murder somebody, or to rob or lie. The ‘Grand Old Man,’ of England, Mr. Gladstone, in spite of his daily modicums of wine, has managed to live to a pretty good old age, and has accomplished a pretty fair share of intellectual work, and has not committed any great crime that I know of.

“4. If all these ‘intemperate’ people—according to the language of the prohibitionists—found themselves better able to accomplish their prodigious brain work by the aid of moderate drinking, then it would have been a great wrong done to us all, a crime against humanity at large, to have prevented them.

“To conclude, if a thorough statistical report, such as proposed, should establish the contentions of the prohibitionists on these four points, then let us all go in for prohibition. But if it confirms the impression, formed from the above and similar premises, that moderate drinkers, taken as a whole, are better physically, morally and intellectually than total abstainers, then to forcibly interdict all moderate drinking by enacting prohibition would be a crime against society and a sin against God.

“The Rectory, Almonte, Nov. 28.”

Rev. G. J. Low.

“GEO. J. LOW.

*By Judge McDonald :*

19894a. Have you had any experience of the working of a prohibitory law or of a local option law?—Before I left Brockville, the Scott Act was in operation there. It was not in operation, I think, very long, and I cannot speak very positively about it. I think the Scott Act was in operation from 1st of May, 1886, to 1st of May, 1889, and as I left Brockville in 1887, I do not consider myself qualified to speak of its operation. However, I saw some results of it that I thought were very bad.

19895a. What were they?—I will give you an example. My church warden, an excellent and God fearing man, was summoned by telephone—he was a butcher—to transact some business in a hotel. He went to the hotel, I know he went there purely for business, and immediately he was hauled up by some good ladies who wanted to know why he was there, I suppose, and they created a great deal of annoyance. Of course he could swear that he went there purely for business, but he was seen to go into the hotel and that was enough. It was supposed that he might possibly have taken drink. Now, that was a case of annoyance to him, a sort of spying and watching that were intolerable.

19896a. Was there much of it in that community?—Well, two or three made the same complaints, so much so that finally that became one reason why the Scott Act was abolished; it was such a chance for people to vent their spite—that is the story I heard from those who suffered. Then with regard to drinking, I may say that one of the hotel-keepers, the very one I was speaking about, when the Scott Act came into force conscientiously stopped the sale of liquor, he would not have any in the house and the consequence was that a great many travellers and boarders left him. They said: "Oh, that is all nonsense, we can get it anywhere else. If you do not keep it, we will go somewhere else where it is kept." They did leave him, and he lost custom continually. I am sure that would be the general effect everywhere. Of course, I do not believe in a prohibitory law for the reasons I have stated. In the discussion on the plebiscite the argument was advanced that a local prohibitory law does not amount to much, so let us have a general law. But I feel that these evils that have been mentioned, scandals, and slander, and evil speaking, and lying, and false swearing, and so on and so on, would be intensified; because I believe it is impossible to force a whole community at once, whatever may be done in a century or so, to be total abstainers.

19897a. We were told yesterday by a gentleman from your town, Mr. Hebblewhite, that in the later days of the Scott Act the sale of liquor in Almonte was comparatively open?—It was, so far as I know. He would have a better opportunity of knowing that than I have. This very hotel-keeper I have already mentioned spoke to me about it and said: "Mr. Low, what am I to do? I am losing all my business. I shall have to do just the same as the rest do." He did not want to begin selling because he was a very conscientious man. I think it will be the same everywhere if a law like that is enacted against the convictions of the people. I do not think it would be of any use, because self preservation is the first law of nature, and if a man thinks, no matter whether he is in error or not, that it will be for the benefit of his health to take a certain amount of stimulant every day, he will do it according to the first law of nature.

19898a. In case of the enactment of a law prohibiting the manufacture, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—At first sight it seems only honest to do so. I noticed the other day that Principal Grant takes another view. He says that liquor sellers, brewers and distillers must abide by the law, by the fortune of war, as every other manufacturer has to do.

19899a. The view that is put forward by some is this: Tariff legislation is regulation, and a license system is regulation, and if, under the latter, men lose their business, nobody thinks of remuneration, for that is regulation. But the business of manufacturing is different, because the law requires certain buildings to be erected and certain plant and machinery to be put in, and the Government derives a large share of the income from that business. Now, if by legislation these buildings were rendered useless, and the machinery which the law requires to be put in were rendered useless, that position would

be different from a mere system of regulation. It is from that point of view that you are asked the question?—Certainly it seems to me only honest to remunerate them.

19900a. Is there any other statement you wish to make yourself in reference to this matter?—Of course, that letter to the *Globe* sets forth my first condition for prohibition, and it gave, briefly, some other reasons why I object. I have plenty of other statistics and material with regard to these four points. I asked that it be established beyond all doubt that universal total abstinence would benefit the race; and I think that is a question which might be settled one way or the other by establishing a bureau of statistics with regard to longevity and crime, and the use of liquor by those who are brain-workers, and so on, with a general mass of information bearing on these questions. Now, if it were established by such statistics that total abstinence is favourable to longevity, it would be something new in the history of the world; but I would go in for it heartily. My second condition of prohibition would be to make it thorough, and in order to make it thorough, it should be enforced in a different manner from what it has been in the states, where, in my opinion, it is really a sham. The letters that were published in the *Globe*, on both sides, I think, showed that. To be sure, after a long while, we did hear that there was some little village or town somewhere where liquor could be got after travelling all round. I believe we should have the same results in this country under a prohibitory law. Suppose we had that law in Ontario for six or ten years, and a delegation came over from the United States to investigate, and found they could obtain liquor in Toronto, or Ottawa, or Carleton Place; but, after a while, they found they could not get it in Bridgewater or Navan. Surely you would not call that a prohibitory law; I would call it a sham. Now, if we are to have a prohibitory law, let it be no sham. After having first established the fact that universal total abstinence was beneficial, the next thing we would have to do would be to revise our literature. It is no use to tell a man, as the temperance books do, that liquor stimulates his pulse and diminishes his muscular power, if immediately afterwards he is to read a portion of one of Scott's *Waverley* novels, which are very guilty in the way of moderate drinking, or to read, perhaps, Milton's "*L'Allegro*," where he speaks of the "Spicy, nut brown ale." All these things must be eliminated from our English classics; in fact, Sir Walter Scott's works must be cut down very badly. I say nothing of the Bible, for I am keeping church and state separate in this matter. Robert Burns, of course, must be greatly pruned, or put under the ban, and a great many other books. The same with pictures which are connected with drinking, representing banquets, and so on.

*By the Chairman :*

19901a. Would *Punch* become extinguished?—Yes; and a great many others would have to be tabooed the same as obscene literature.

*By Judge McDonald :*

19902a. I understand your view is that as long as these books are read they have an educational effect that will counter balance any educational influence put forward upon the other side?—To a great extent. In the schools, both classes of books are read side by side.

*By Mr. Clarke :*

19903a. What about Dickens?—He could not be read at all. Dickens, Scott, Thackeray, and I do not know how many more, must be put under the ban or banished. It is no use to admit part of them, we must do the whole thing. Mr. Fanshawe, a gentleman of the Inner Temple in England, who was sent out by some Members of Parliament to investigate the whole matter in the United States, wrote to me to get a copy of a pamphlet that I had published; and he wrote to me afterwards from England, sending me his report on the liquor traffic, which I shall be very happy to send to the Chairman. He makes the remark in his report that there is a great difference between Americans and Englishmen in their manner of legislating. The British people consider and look at a question on all sides thoroughly before they legislate, but when they do legislate, then they do carry it out thoroughly. The Americans are rather inclined to

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experiment, with the idea that if the experiment does not succeed, they can evade it somehow. The same idea seems to prevail among married people over there, who get married on a short notice because they can get divorced so easily. The same is seen in their legislation. It is easy enough to try a trick, and if it does not answer away with it. Now, the English idea is first of all to be sure you are right and then go ahead. If you can prove that universal total abstinence is for the benefit of the race—I do not know how it is going to be proved, but as I say that is the first point in my conditions—then enforce it. I am speaking from a purely secular point of view, I leave out religious considerations.

19904a. Take it from a religious point of view?—If we adopted the prohibitory system in our legislation we would have to make excerpts from the Bible. The Ross Bible would not be a patch to the new Bible. All this talk about unfermented wine is demoralizing—trying to show that it means fermented here and unfermented there, it is destroying the love of truth in man. To say that this wine was fermented and that wine was not, when the very same word is used all the way through, I think it is demoralizing. There is a loss of honour and a loss of truthfulness in the whole thing. You would have to read the Bible with curious spectacles in order to make it accord with prohibition. It is not so with the other two great religions of the world, Buddhism and Mohamedanism. He who runs may read there that wine and strong drink are prohibited. There is no mistake about it in those religions, the prohibition is clear and plain.

*By Rev. Dr. McLeod:*

19905a. Am I correct in believing that you have written a good deal on this subject, first and last?—At first, I have written a good deal, latterly I have not. In fact, since I left Brockville I have not bothered with it, except when it has been forced on my notice. But it has brought me a great deal of correspondence from England and Kansas and Des Moines, in Iowa, and Chicago.

19906a. You have published one or more pamphlets, have you not?—One pamphlet I should not say I published one pamphlet, for I did not. I wrote some letters to a local paper in the town of Brockville, and these letters were approved of by what was called then the Liberal Temperance Union with which were associated Dr. Goldwin Smith and Mr. Gordon Mowat. I have some letters from those gentlemen, and they thought of publishing my letters in pamphlet form. I could not do it. In fact, I did not want to do it, I just published the letters to deliver my own soul on the question, in my own town, because I felt it a relief to speak out in one way or the other, and either to go in with the stream of prohibition or to show reasons why I preferred to adopt the other plan. Then my paper was taken hold of and published by Mr. Thoman who was manager of the Literary Bureau in the United States.

19907a. Then your pamphlet will be one of the series that Mr. Thoman issues?—Yes.

19908a. Were these letters to which you refer and which were afterwards put into pamphlet form, written during the agitation for the adoption of the Scott Act in Leeds and Grenville?—Yes, they were written from January to March, 1887. I did not agitate for either repeal or anything else, but just delivered my own soul upon the subject.

19909a. About these hotel-keepers at Almonte, two of whom you have referred to especially; do you know whether they were prosecuted for violations of the Scott Act during that period?—I do not know much about it, but I dare say they were, for everybody who had liquor to sell was prosecuted at some time or another.

19910a. Do you know whether they have been prosecuted for violation of the license law since then?—No, I think not.

19911a. A gentleman who was before us yesterday from Almonte said he had no doubt, if I remember right, that all the licensees in Almonte had violated the law more or less. I presume those two are of the number?—It is possible they may have done so.

19912a. You do not know whether those two gentlemen have been prosecuted for violations of the license law?—I do not know.

19913a. Do you know whether they have violated any of the prohibitory provisions of the law, such as the provision requiring them to close at a certain hour on Saturday night and keep closed on Sunday?—That is the very time that I would be at home in my study or in church and would not know anything of what was going on. On election days, so far as I can see, they are closed, but there again I am not so well qualified to speak as others might be.

19914a. Do you think the prohibition of the sale of liquor on election days is a wise provision?—I dare say it is, I have no doubt it is, because on any day such as that, where there is a great crowd, of course there is a greater danger of men getting drunk. But I cannot tell how that works.

19915a. You spoke about the excellent qualities of the family of one or two hotel-keepers, and this question occurred to me. Do you know any families that would have been better but for these and other hotel-keepers who are licensed to sell liquor?—I could not say, I do not know, I am sure. It is very likely that there are many men everywhere who are the worse for taking too much liquor, but it becomes a very difficult question with me to apportion the divided responsibility, so I would not like to say. That many men do take too much liquor, I grant.

19916. You have referred to Gladstone and some others as examples of men who have lived long and well, and who have taken their daily modicum of spirits. Do you know what Gladstone's position is on the question of local option as applied to the liquor traffic?—I see he has been discussing it, but this is what I cannot make out, how a man who takes it moderately himself can insist upon others not taking it, or insist upon any legislation which will prevent another man from having it.

19917a. I think you are quite consistent?—I was reading an account of a meeting in Toronto where one of the ministers, I think it was Dr. Potts, urged upon the prohibitionists not to be too harsh with the non-abstainers, because they wanted their votes upon this plebiscite. Now, that I cannot understand, because the plebiscite means: Will you insist upon everybody being a total abstainer? And how a man who is not a total abstainer can insist upon another man being a total abstainer, is beyond my comprehension.

19918a. You know that Gladstone does take quite strong ground as to the right of a locality to veto the issue of licenses?—Yes, but he takes his sherry all the same.

19919a. Do you know whether he takes strong ground as to the matter of revenue? One of the strong claims of the liquor traffic is the necessity of an immense revenue which the liquor traffic helps to furnish. Do you know whether Gladstone takes the ground that the liquor traffic was not necessary for that purpose?—I believe he has said so. By the way, I may mention that that is one of my conditions, that if we are going to have prohibition, the first thing ought to be free liquor, because it will take away that objection. I go in with Mr. Henry George.

19920a. You would eliminate the revenue from the whole business?—Yes. Let us first do away with excise, licenses, and the rest of it, and then let us see how we can get along.

19921a. Then would you expect that, the revenues being eliminated, neither the municipality nor the country deriving any profit from the traffic, the free sale of liquor would produce a condition of things that would move the people to abolish it?—Do you mean that it would intensify drunkenness?

19922a. Yes?—I do not, because it would be a terrible reflection upon the work of the temperance people for the last forty years if their teaching has done no more than that. But I pay the compliment to the temperance workers to think that they have educated people to temperance, not to total abstinence. I think much is due to the temperance workers who for the last forty years have made drunkenness disreputable. There is no doubt that in my early days, when I was at school, a good frolic was the correct thing.

19923a. A man was regarded as somewhat weak if he did not occasionally get drunk?—Yes, in fact if I do not mistake, at that time men who were total abstainers were not received into life insurance societies, and they started a new company on that ground. I think that within forty or fifty years a great change has taken place in the

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morality of the people in regard to drunkenness. A man is ashamed now to be seen drunk. Many do not offer liquor at table, in fact in the way of banishing wines and so on, and substituting tea, I think men have gone to the opposite extreme. We know that during the last twenty or thirty years tea has been substituted for wine or beer in a large number of families, so much so that we seldom see those beverages now in families. Physiologists all say that tea has a weakening effect upon the heart, while alcohol strengthens it. Dr. Burney, Sir William Roberts and Sir James Paget have said that the best way to take spirits is to combine tea with spirits. But the general tendency of belief among physiologists now is that alcohol strengthens the heart and tea weakens it. I want to notice that during the last twenty-four years heart disease has become a terrible factor in the existing cause of deaths, it is increasing every year at a great ratio. I have figures here to that effect, but I will not refer to them, they are referred to in my pamphlet. Now, if it be a fact that alcohol strengthens the heart and tea weakens it, there is one case in which teetotalism is doing harm. Then there is another argument in regard to consumptives. Everybody knows of course that when the disease is thoroughly seated the doctors order alcohol as a medicine. Now, the question is to know to what extent alcohol is a preventive of consumption. I have a case in view of a young lady friend of mine, a very dear woman—of course I am not going to mention names. The disease suddenly developed in her, and as she had always been a teetotaller and belonged to a teetotal family, the question arises whether it would have developed so badly if she had not been a tetotaller. I remember that Dr. Earle, who has written of the idiosyncrasies of alcohol, mentioned, and so does the British Medical Association, that alcohol prevents the formation of tubercle in young people, and the beginning of consumption. I have a case in my mind now of a young girl between fifteen and twenty, who went to college, a brilliant girl. Her father was a great teetotaller, and I believe a medical man, too. She passed her examination brilliantly, and afterwards took a school, and very soon she was stricken with consumption, which developed rapidly. Then it was, oh, give her beer, give her brandy, give her rum, give her everything to save that precious life. But it was too late. Now, I believe that sort of thing is going on continually. It is my opinion that the disgrace and opprobrium that are cast upon moderate drinking prevents a great many delicate people from taking alcohol to-day, this cursing what God has not cursed is hurrying many to their graves.

19924a. Have you observed, as a pastor, that the drink habit does curse a good many people?—Yes, but still it is not the thing itself. A great deal is attributed to drink which ought not to be. Drink is a great curse, when, like everything else, it is carried to excess. It is only one cause among many, although that one cause gets the credit for all the evil. I think of two or three cases of young men now, who died years ago in the prime of life, one twenty-five and the other thirty. Well, they were gay characters, there is no doubt; they were too fond of wine, they were too fond of cards, too fond of betting, too fond of horses, and, worst of all, they were too fond of women. By and by they died of general dissipation, but of course it was all attributed to drink. I know they did not die of drink, they died of syphilis, of venereal diseases. Just so it is with a class of lunatics. It is even said that drink is a cause of lunacy. Now, I was looking at a report on the subject published by the Provincial Government, giving the existing cause of insanity in the inmates of the asylums of Toronto, Kingston, Hamilton, Mimico, Orillia and London. In these six hospitals, in 1893, drink was given as the exciting cause of insanity in fourteen cases; intemperance in sexual matters and diseases connected with them, was the exciting cause of insanity in forty-four cases, religious excitement in sixteen cases.

19925a. That is the exciting cause, is there no statement as to the predisposing cause?—They are both there, the analysis is very thorough, and it is worth looking into. Drink seems to have very little to do with insanity, compared with other causes.

19926a. Are we correct in understanding from your statement in your letter to the *Globe* that you think that abstinence excites to crime somewhat?—No, I would not like to put it in that way. I simply state facts, and I think in many cases that crime has nothing to do with the drink a man takes. For instance, if you make up a record and

say: Here are so many criminals and out of that number so many drink moderately, you might as well say that so many have black beards, or brown beards, or so many are bald.

19927a. Do you think that a black beard has the same effect on a man's moral sense as drinking whisky?—It depends. I do not think that drinking whisky would affect a man's moral sense, if the man has moral sense to begin with. But if he has not got much, it will not affect what little moral sense he has. In fact, I hold that the proverb *in vino veritas* is a true one, the alcohol brings out what is in the man, and if he is a vicious man it will bring it out. We all know many men who have taken spirits for years without becoming criminal and without being excited to crime.

19928a. You have never favoured the prohibition of the drink traffic?—By no means, but I would favour most decidedly those limitations if they can be made to work justly and fairly all round.

19929a. As a pastor for many years, you have been brought into intimate terms with a great many families, parents and children; have you found that the drink habit causes a good deal of domestic disturbance, trouble and distress?—Yes, but there again I think that very often domestic trouble and distress cause the drink habit. I have known many people who have just gone away from the house to have a drink and a good time with their brethren because they could not find it within doors.

19930a. The atmosphere was not congenial at home and they went to the bar-room!—Just so; and I believe in many cases it might be prevented by different conduct at home.

19931a. Then this question growing out of what you said, of the use of tea. Have you found that the use of tea in the families causes more domestic misery than the use of grog?—Well, now you are asking me the same question in another shape. The use of grog may produce and does produce domestic misery, and domestic misery sometimes produces the use of grog. The use of grog has saved many a life, when used in moderation; it is saving life in many homes to day.

19932a. Does domestic misery sometimes drive men to the use of tea which in its turn brings on heart weakness and death?—No, I do not think so. They take something stronger, something to strengthen the heart.

*By Mr. Clarke:*

19933a. Is the condition of things existing under license in Almonte more or less preferable to that which existed under the Scott Act?—I could not say, I do not think I am qualified to judge. As I have said, during the seven years that I have been there I have seen every year, occasionally, some one overcome with drink. I know of very few people who are habitual drunkards to-day, and I know of very few anyway.

19934a. People had experience of the license law in Almonte before they had experience of the Scott Act?—Yes.

19935a. And after having had experience of the Scott Act for three years they went back to license?—Yes.

19936a. For what reason?—For the reason I have stated, because, first of all, they found there was so much falsehood and so much deceit and so much injury.

19937a. Is there less falsehood, and less injury, and less deceit at present than there was under the Scott Act?—Yes, because there is not the same occasion.

19938a. Is the present condition of things more or less favourable than that which existed under the Scott Act?—To my mind I should say it is more favourable.

19939a. Upon what other ground can you account for the fact that the Act was adopted by an overwhelming majority in Lanark, and repealed by an overwhelming majority within the short space of a few years?—It seems to me the obvious answer is that they found it did not work.

19940a. Is there any reason except those you have stated?—Not that I can think of just now.

19941a. Can you direct us to any country where this idea of the prohibition of the manufacture, importation and sale, prevails?—No, and I hope we shall never see it in Canada.

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19942a. Do you know any country where such a condition of things exists?—No, neither now nor in the past, and I hope we shall never see the time when we shall have such prohibition as exists in Kansas and Iowa, if the correspondence I receive is true.

19943a. But the prohibition which exists in those states does not interfere with the right of any individual to get liquor from outside the boundary of the state for his own use does it?—I would not undertake to answer that.

19944a. As a matter of fact, it is so. There is no prohibition of the use of liquor, by the citizens of any of those states if they can afford to purchase it for their own use?—Well, but that is not prohibition.

19945a. Is not that class legislation, to a certain extent?—Yes.

19946a. Was that an objection to the Scott Act, that people who could afford it could bring it in for their own use?—I think so. Let the poor man have it as well as the rich. If it is injurious, let the rich refrain from it just as well as the poor.

19947a. Have you had any experience of the working of the prohibitory law in Maine?—No, nothing except what I have read.

19948a. Now, with regard to the movement in favour of local option in the old country; is it intended to prohibit those resident in an option locality from procuring liquor for their own use? Is it not the retail sale that is to be prohibited?—I think so. In fact that is the only thing that could be prohibited, I suppose, if it was only local option.

19949a. Must we understand what you mean by the term prohibition now, is the absolute prohibition of the importation, manufacture and sale?—That is what I am objecting to. Because some men get drunk and their drunkenness leads them to crime, therefore to restrain everybody from drinking, or to destroy the manufacture of liquor and so on, looks to me like burning down the house to roast the pig.

*By Mr. Gigault :*

19950a. Are there not a great many more divorces in Maine and Kansas than in Canada, and does that state of things prove that prohibition is doing away with domestic troubles?—No, I do not think it does. Divorce is very prevalent, and I think it is only part of the general system, the general desire to try all sorts of experiments.

*By Rev. Dr. McLeod :*

19951a. You would not introduce whisky in order to promote domestic happiness, would you?—I have noticed that it does good in some cases. Here is a person who is miserable, sick, dying of consumption. I have said : You ought to take spirits, and he has taken it and been saved from death. It does sometimes promote domestic happiness, because men do not always take spirits to be wicked.

*By Mr. Clarke :*

19952a. Have you given any attention to the punishment inflicted upon habitual drunkards who are brought before the Police Magistrate?—I would agree with Archdeacon Lauder about that. I think it is a falacy, and does more harm than good. I would like to see the habitual drunkard, the man who cannot control himself, put under restraint.

*By the Chairman :*

19953a. You spoke of cases of domestic unhappiness leading to drinking ; I suppose there are many cases in which domestic discomforts and disagreements lead men to drink?—I think so, that is what I stated.

19954a. Do you think sufficient attention is paid to the education of the female portion of the community in domestic duties?—I think perhaps, there should be a little improvement made there, but of course the females and the males all go in together and they learn in common those things which are good for them. I think most girls are taught their domestic duties.

19955a. Have you had any experience in cities?—No, not since I left London. I was curate in the cathedral there before I came to this diocese. I can only speak of my experience in small towns such as Brockville.



REV. WILLIAM MOORE, D.D., of Ottawa, on being duly sworn, deposed as follows:—

*By Rev. Dr. McLeod :*

19956a. Of what church are you pastor?—I have been pastor of the Bank Street Presbyterian Church for twenty-eight years.

19957a. I presume you understand fairly well the scope of this Commission's inquiry?—I fancy so.

19958a. Perhaps you had better make a statement of your views and tell us from your experience, the effects of the drink traffic upon all interests affected by it?—First of all, I may say frankly at the beginning, that I am in favour of total prohibition.

*By the Chairman :*

19959a. Do you mean that you would not permit a citizen to import or make it for his own use?—What I should like to see stopped is the general traffic in liquors. Of course, I fancy there must be some measure of liquor used in the arts and manufactures, and in medicine, and, of course, a pure and wholesome wine is expected to be used for communion purposes. Outside those necessary uses, I think the manufacture and sale of liquor should be prohibited.

19960a. I am only asking in order to understand the character of the prohibition you desire. You would prohibit the importation and manufacture of all intoxicating liquors for beverage purposes?—Yes.

*By Mr. Clarke :*

19961a. I understand you include prohibition of the importation, for domestic use, by citizens who may desire to do so?—Yes; that is what I mean.

*By the Chairman :*

19962a. Do you know of any country where a law of that kind exists?—I do not know of any country in which such a law is in force. My reason for desiring to see a prohibitory law on the Statute-book is this, that so far as my observation goes, the liquor traffic is certainly conducive to a very large amount of misery in Canada, to a very large amount of disease and distress in the community. It is an accessory to a very considerable amount of crime, so far as my observation goes.

*By Rev. Dr. McLeod :*

19963a. Do you know of any other single thing that is productive of so much misery and distress?—No; I do not.

19964a. Do you find, as the years go on, that there is a diminution in the use of liquor?—I think there is. So far as my observation goes, I think that the use of liquor is slowly but steadily decreasing.

19965a. I suppose that is attributable to the steady teaching of the churches and of moral institutions?—I have reason to think so.

19966a. Do you think that teaching is helped by restrictive legislation concerning the traffic?—I should think it would be. I do not see why it should not be helped as much in that case as in the case of any other thing that is injurious to society.

19967a. Your denomination, by its General Assembly, has taken quite strong ground on this question?—Yes.

19968a. Do you concur in the deliverance of the General Assembly?—Heartily.

19969a. Have you written at any time on this question?—I have not.

19970a. Neither letters nor pamphlets?—No.

19971a. We would be very glad to hear any statement you desire to make bearing on any phase of this question?—I believe that the liquor traffic, as at present conducted, is a source of unspeakable misery in families, producing domestic unhappiness in a great many ways. My congregation only numbers about 240 families, but I could, at this very moment, name no less than five cases where the wives are habitual drunkards, and

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there has been no end of distress and misery created in other families by the use of strong drink.

19972a. How about the effect on the young men?—So far as my observation has gone, it is extremely unwholesome. It reduces the moral tone, blunts the conscience, impairs the judgment of young men, and impairs their physical fitness for business.

19973a. Do you find that domestic unhappiness drives men to drink, to a larger extent than drink produces domestic unhappiness?—I do not think it does. I think that probably the one nearly offsets the other. But my impression is that more unhappiness first originates in drink than drink originates in unhappiness.

*By Judge McDonald :*

19974a. Has the Presbyterian Church, in any place which you know, made it a term of communion that a man should be a total abstainer?—No.

19975a. I have just clipped from a paper this morning the following item :—

“The Presbytery of Paris, in session at Brantford, has declined to transmit to the General Assembly a resolution recommending that total abstinence be made a term of communion, on the ground that such resolution is inexpedient.”

Do you concur in that finding yourself?—I do.

19976a. In other words, what the church does is to advocate total abstinence and recommend it to its members, leaving it to their individual conscience?—Certainly.

*By Mr. Clarke :*

19977a. Would it be advisable at this stage in the history of our country to pass a measure prohibiting the entire trade, with the exceptions you have named?—I am not sufficiently acquainted with the actual condition of feeling in the country to be able to say whether prohibition, if passed, could be made effective ; but so far as can be judged by the last great vote, I should say that the country was in a fair condition of readiness to receive it.

19978a. If we had not had experience of the repeal of the Scott Act, I think there would be an agreement on that point. But some years ago you will remember there were overwhelming votes cast in various counties in favour of the local prohibition afforded by the Scott Act, and in a short time after a trial of the Act, it was repealed by majorities almost as great, and in some instances larger. Do you think it would be wise and prudent, in view of the experience we have had with the Scott Act, to look upon this plebiscite vote as any indication of a desire to have a prohibitory law in Canada, or that there is any value to be attached to it, is a matter of fact?—In the first place, I have never lived in a county where the Scott Act was in force, so that I do not know from personal observation what was the reason for the revulsion in public feeling. But so far as I am able to ascertain from the temperance people throughout the country at large, I am led to the conclusion that they all strongly favour a general as against a local prohibitory law, and are of opinion that a general act would be more readily available for the purpose than a local act.

19979a. Were you a resident in this city when the Scott Act was in force in Carleton?—Yes.

19980a. What was the general opinion regarding the operation of the Act in Carleton?—So far as I am able to gather, there was a period during which the Act was not very successfully operated, it was difficult to procure convictions. After a time, however, an officer was appointed who was heartily in sympathy with the Act, and after that I have understood that the Act operated fairly well.

19981a. Could you give us some reason for your view as to why, if the Act was operating well after the appointment of this zealous and sympathetic official, if it was promoting good order and producing beneficial results—why, when the people had an opportunity, they voted it out of existence?—I am not prepared to explain that.

19982a. It is a most difficult thing to ascertain the cause of its repeal, if it was doing good at all. Now, with regard to the treatment of drunkards. Having lived in the city for a long time, you must have had your attention drawn to the prevailing

method of punishing them ; do you think it is beneficial to them ?—I have very serious doubts as to the benefit of putting men in jail, or fining them for being drunk, for this reason, that the fine takes so much out of their pockets that ought to have gone for the support of the family. There is that difficulty, that to fine the husband who has been guilty of drunkenness just reduces by so much the comforts of the family. But how it is possible to punish a man without adding very seriously to the distress of the family, I do not know.

19983a. Do you think that any permanent good is done to habitual drunkards by committing them to prison for periods of ten, twenty or thirty days in default of fine ?—I could not pronounce a definite opinion, I have serious doubts about it.

19984a. Would you favour the establishment of institutions to which habitual drunkards would be committed for a longer period, say twelve months, in industrial homes or inebriate asylums ?—If there was any way by which their families in the meantime could be maintained, I think it would be a very good thing. The difficulty in committing drunkards for long periods is the fact that their families are left without support. In many cases, though a man is given to excessive drinking, there are sober periods when he does something for the support of his family.

*By the Chairman :*

19985a. Could their labour not be turned to account in such institutions, and the proceeds of the labour turned over for the support of the family ?—In that case I would approve of it heartily.

*By Mr. Gigault :*

19986a. Do you think it is immoral to take a glass of wine ?—That raises a great moral question.

19987a. Do you believe it is a sin to take a glass of cider or wine ?—No, I do not.

19988a. If a man at his dinner takes a glass of cider or wine, do you think he is committing a sin ?—No, I do not.

*By the Chairman :*

19989a. I think you are of the opinion that there is a strong feeling in favour of general prohibition throughout the country ?—Yes.

19990a. That it is preferable to local prohibition ?—Yes.

19991a. Do you think prohibition would be efficient over the whole Dominion if there were one or two provinces, the people of which were opposed to it ?—If they were strongly opposed to it, I would be very doubtful of the good results.

19992a. Take the Province of Quebec for instance, if a considerable majority was opposed to prohibition, do you think it would be quite right to force prohibition upon them by means of a majority say in Ontario ?—Well, I should suppose in that case prohibition would do very little good in that province.

19993a. Do you think it would be right to coerce them by the vote of Ontario, to do away with their license system and substitute some other means of raising revenue, compelling them to adopt a system which a majority of people were opposed to ?—I fancy that is a question of a majority over the whole Dominion. The majority has to rule.

19994a. Where you give a province the right of self-government and delegate these things to their legislature, would it be right to sweep away those rights and force upon them a law which they disliked or disapproved of ?—If the province have the absolute right to deal with these matters exclusively, they may legislate of course, then the Dominion cannot touch them. I would not interfere with provincial rights, if it is clear that they have that right.

*By Mr. Clarke :*

19995a. Were you ever in Maine ?—No, except a few weeks at Portland.

19996a. What was your experience there ?—I did not see any drinking there.

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REV. T. W. WINFIELD of Ottawa, on being duly sworn, deposed as follows :—

*By the Chairman :*

19997a. Have you a church in Ottawa ?—I am Chaplain to His Excellency the Governor General.

19998a. What denomination do you belong to ?—I belonged to the Reformed Episcopal Church of this city for some time, but I associated myself with the Presbyterian Church at the last General Assembly.

*By Judge McDonald :*

19999a. How long have you been in the ministry ?—Eleven years.

20000a. Where have you had charge of parishes or churches ?—I had a church in Moncton, N. B., and I have been five years in Ottawa.

20001a. Had you a parish in any other country than Canada ?—I came out from England to Bermuda, where I had a church. Before leaving England I had charge of a church in Yeovil, Yorkshire ; and I had charge of a church in Derbyshire.

20002a. In your experience as a pastor, have you found that a great deal of misery and trouble are caused by drunkenness in families ?—Yes, a great deal. I think there can be no doubt as to the fact that the use of liquor to excess is the cause of a great deal of domestic trouble and unhappiness. At the same time when you come to investigate any particular case, I have always found that there are so many other causes that seem to interlock and interfere with one another, that it is very hard to put your finger on any one in particular, and say this is the cause of all the rest. Still as a general principle, I believe that the excessive use of drink is the cause of a great deal of domestic unhappiness.

20003a. Since you have lived in Ottawa have you noticed at all the working of the license law here as to whether the regulations are observed forbidding the sale of liquor on Saturday night and Sunday ?—So far as I know, the regulations are fairly well observed. I think that in Ottawa there is less drinking than in any other city of the same size that I am acquainted with.

20004a. We learn from the statistics given by your Chief of Police yesterday, that there had been from year to year a great decrease in the number of arrests. In your experience as a pastor and as a citizen, have you found that all along the line in this community there has been an increased temperance sentiment and temperance habit ?—I think so, during the time I have been residing in the city.

20005a. Are you yourself favourable to the prohibition principle ?—I am not favourable to it as understood by prohibitionists, in its large and sweeping effect. I would not include in a prohibitory measure the manufacture and importation because I believe there are many circumstances and conditions of life when it is at least desirable that it should be possible to obtain some form of stimulants. I would be in favour of such a prohibitory law as would suppress the indiscriminate sale, as I may call it, because the license act is sometimes almost indiscriminate. I would make it very much harder for any one to procure a license, and put it in the hands of the Government. To my mind that measure of prohibition would be desirable for the well-being of the country.

20006a. Have you had any experience of the working of what is called the Swedish or Norwegian system ?—Not by personal experience. I think the Swedish system is a very desirable one.

20007a. You have doubtless heard of the legislation that was promoted in England by the Bishop of Chester, allowing the municipalities to adopt that system ; is that the kind of legislation you mean ?—Something of that kind.

20008a. It would take away from the private individual the incentive to make a profit out of the sale ?—Yes.

20009a. Because it is that which leads to the abuse ?—Exactly, which leads to the abuse of sale. I would do away with the saloon system altogether, I see no use for that whatsoever.

20010a. Limiting the number of places also where it could be obtained ?—Yes.

21—87\*\*\*

20011a. Do you believe that an increased number of places increases the temptation to buy liquor?—I think it does.

20012a. In case of the enactment of a law prohibiting the manufacture of liquor, would you deem it right that brewers and distillers should be remunerated for their plant and machinery rendered useless?—I think so, for the reason that the Government has given them a right to do a certain business, and if that right is taken away it is only fair that they should be remunerated.

20013a. How long did you live in Moncton?—I was at Moncton nearly five years.

20014a. Was the Scott Act in force there?—It was supposed to be in force.

20015a. How was it carried out?—Very badly. My experience of the working of the Scott Act is such that I certainly would not favour such a law.

20016a. Would you please tell us from what year to what year you were in Moncton?—From 1884 to 1889. There are one or two grounds on which I object to the Scott Act. In the first place the enforcement of the Act was left in the hands of a committee, and it did seem as though this committee had in view the making of a certain sum of money out of the saloon-keepers and others who sold liquor. For instance, they would summon a man for infringement of the Act and fine him \$50 for the first offence. Then in a few weeks they would summon him again—they knew he was selling all the time—and fine him \$100 for the second offence. The third offence meant imprisonment, and when they wanted to summon him the third time they said: We do not want to imprison that man, we want another \$100 out of him, so we will not call this the third offence but the second offence, and the other the first offence. That thing went on from month to month and year to year, and the main offender never came to a third offence. He was willing to pay his \$100 every few weeks or months that he might go on with the sale undisturbed.

20017a. It was practically a high license system?—Yes, practically. Then there is another objection I have to the Scott Act. It discriminates unfavourably against a man who honestly believes that there are times when it is necessary that he should have something in the shape of stimulants. For example, if I wanted to purchase a small quantity of brandy for medicinal or other purposes, I must go first to a doctor and get his prescription, for which I am supposed to pay whether I do or not; then I must go to the druggist and pay double price for the article I buy. At the same time, here is my next door neighbour who can buy five gallons, or forty gallons, or a hundred gallons at a time if he likes, and can go to bed drunk every night, and for that there is no tax upon him whatsoever. He buys at wholesale rates and pursues his underhand course; whereas if I wished to keep in my house a small quantity of brandy I am restricted in this way and forced to go through all these processes in order to do what my next door neighbour does wholesale.

20018a. What was the course of the local authorities such as the District Attorney, the Prosecuting Attorney and the Inspector in Moncton, when you were there? Were they parties to this system?—I think they were. The prosecuting attorney became the defending attorney and the defending attorney became the prosecuting on two or three different occasions. They changed about and the system went on.

20019a. Did you notice that liquor was openly sold in any of those places?—Not as a rule. In the beginning of my residence at Moncton there were one or two places where liquor was openly shown. Then there began this liquor crusade by the temperance committee and these places were closed, or at least the liquor was taken into the back part of the building. It was not openly shown, but I certainly believe that a much larger number of places sold liquor than were prosecuted.

20020a. Then there was a large income derived by the city from this system of fines?—I do not think you could call it a very large income.

20021a. Would this system produce a larger revenue than the fees under an ordinary license system?—I could not give an opinion as to a comparison between the two.

20022a. You do not know whether they continued it long enough to make it equal to an ordinary license?—I do not.

20023a. What is the effect of that state of things upon the community? Is it beneficial or demoralizing?—It is bad, I think, taking everything into consideration.

Rev. T. W. WINFIELD.

In the minds of a large number of people it makes very little difference, because they would not drink no matter what were the temptations or how great the number of places licensed to sell. In the town of Moncton there is a large number of men employed in the railway shops—conductors, brakemen, and that class of men, and I think the influence upon them was certainly a very undesirable one.

20024a. Has it a tendency to bring all law into contempt when one law is so broken with the connivance of the authorities?—I could not say that, because I think that people generally regarded the Scott Act as objectionable on other grounds. With regard to the infringement of other laws—for instance, the law against housebreaking, the conscience of the whole people is on the side of the law; whereas in the case of the Scott Act, the conscience of the people is not on the side of that law; they do not view it in the same light.

20025a. The laws against theft and other offences of that kind were much better observed than the Scott Act?—Yes.

20026a. Is there any other statement you would like to make to the Commission upon this question?—I have no particular light to throw on the subject.

*By Rev. Dr. McLeod :*

20027a. Were you in Moncton when the Scott Act was adopted originally?—I could not say.

20028a. You do not know whether you participated in the campaign for the adoption of the Act?—I was there in the election when it was sought to repeal the Scott Act.

20029a. And that attempt failed?—It was either immediately on my arrival that it was adopted, or immediately before. At any rate, I took no part in the election when the Scott Act was originally adopted.

20030a. Did you have any part in the election on the question of repeal?—No.

20031a. You did not co-operate with either the friends or the opponents of the Act?—I did not take any part whatsoever. I did not have much acquaintance with the Act, and I did not feel like taking any part in the election.

20032a. Do you remember whether there were any special difficulties in the way of an efficient enforcement of the Act in Moncton, growing out of delays in the court—technical difficulties?—I am not aware of any difficulties of that nature.

20033a. During your ministry in England did you notice that there was a growth of temperance sentiment throughout the country, and in your church?—In the church I had in Derbyshire, and also in Yeovil, the habits of the people were very much as they had been for the last generation or more. I mean that there was a general use among the people of light beer, and very little ardent spirits.

20034a. Your church was in connection with the Church of England, was it?—No; in connection with the Reformed Episcopal Church in England, as well as in Bermuda.

*By the Chairman :*

20035a. Was it an agricultural district in England?—In Blackwell it was a colliery district; in Yeovil, it was the centre of a large agricultural district.

REV. GEORGE McRITCHIE, Methodist Church, of Ottawa, on being duly sworn, deposed as follows :

*By the Chairman :*

20036a. What is the name of the church of which you are pastor ?—The McLeod Street Methodist Church.

20037a. Have you a large congregation ?—About 200.

20038a. Have you been long in the city ?—This is the sixth year. I was in the western church in Ottawa before coming to McLeod Street church, as we can only stay three years in one church.

20039a. Had you lived in Ottawa before that ?—No.

20040a. Then you only know Ottawa for the last six years ?—Yes.

20041a. Do you think drunkenness has increased or decreased during the period you have been here ?—I do not think it has increased ; I could not say it has decreased to any extent.

20042a. Do you admit to membership in your church those who use intoxicants as a beverage ?—The rule is that they are to abstain from drunkenness, from buying or selling, or drinking spirituous liquors unless in cases of extreme necessity. They must be virtually abstainers.

20043a. Any one known not to comply with these conditions would not be admitted to the communion table ?—We would not interfere unless there was a charge and proof. If there was a charge and proof of any one disobeying that rule he would not be admitted.

20044a. Does that mean that no inquiry would be made unless a charge was preferred ?—The minister has authority, if he knows of it, himself to institute a prosecution : otherwise it would require a charge. But the minister has authority and is under obligation to institute an investigation, if he knows of the case.

20045a. But would a charge require to be made either by the minister or by some one else before a person was excluded from the communion table ?—Yes, a minister has no personal authority to do that.

20046a. You will excuse me asking the question, but I am anxious to understand exactly. Suppose a minister put the question to a member of his church prior to the communion : Are you in the habit of taking intoxicants as a beverage ? And the answer should be in the affirmative ; would the minister, under the constitution, be justified in saying to that man : You cannot come to the communion table ?—I can hardly conceive of a case where such a condition might arise, unless the minister had a very strong suspicion.

20047a. But suppose it did arise ?—I think he would be then justified in refusing communion.

*By Judge McDonald :*

20048a. I notice the term you use is “buying or selling,” so that it would really exclude the brewer and distiller ?—Yes.

20049a. And of course would exclude a man who has a license to sell by retail ?—Yes.

20050a. Then you have a rule, I think, by which you require your young men who are upon probation for the ministry, to be total abstainers ?—That question is asked by the Chairman of the Board.

20051a. I suppose if that question were answered in the negative by anybody it would lead to an investigation ?—No, it is put in another form. The question is “Do you take snuff, tobacco, or intoxicating liquors ?”—They require to answer, No.

20052a. But if he says, Yes, or if he refused to answer, No ?—Then he would not be received. His answer would be taken as an admission. Then another question, that follows it immediately, is “Will you promise to abstain from these ?” and they have to say, Yes. The first question is repeated every year for the four years they are on probation.

REV. GEORGE McRITCHIE.

20053a. You yourself are personally favourable to prohibition?—I am.

20054a. We have the deliverance of your church upon the subject, adopted, I think, at Montreal in 1890; do you personally concur in that?—I do.

20055a. Speaking as a pastor, have you had occasion to notice that there is a great deal of misery caused by drunkenness or intemperance?—I could name a few cases in my own congregation.

20056a. Have you considered the question of the treatment of habitual drunkards, and do you think that a drunkard derives benefit from short terms of imprisonment in jail?—I do not.

20057a. Have you known any case in which reformation has been affected?—No.

20058a. Supposing the traffic is to be continued as at present under a license law, in your view what would be the best way of dealing with the habitual drunkards?—That is a difficult question to answer. I think the best way would be to seclude them in some asylum where they could not obtain drink until they were partially reformed.

20059a. And keep them at industrial pursuits for the benefit of their families or the community?—If that could be done.

*By Rev. Dr. McLeod:*

20060a. How many years have you been in Ottawa?—This is the sixth year. I may observe that I have been in Almonte while the Scott Act was in force there, and I have been in Prescott during the Scott Act regime.

20061a. Will you tell us your observation of the working of the Scott Act in Almonte and the difficulties of enforcement?—At first it was well observed, and I knew habitual drunkards who, after they could not get liquor for six months, were sober and became a blessing to their families. The reason of the reaction was the difficulty of enforcing the law, which was left largely to temperance people. Threatening letters were sent to those engaged in the enforcement, and Rev. Dr. Manning, the Inspector, and the minister of the Baptist Church, received letters threatening their lives. Offences against the property of the late John Scott, the magistrate who tried the liquor sellers, were committed until his wife and daughters pleaded with him to have nothing more to do with it. They were afraid for his life. Mr. Manning, however, did his duty so far as I know; but the cause of the reaction was the difficulty of enforcing the law.

20062a. So there was a sort of system of terrorism?—There was in those two cases that I know of, where threatening letters were sent to Mr. Manning and the Inspector. Then I think that politics had something to do with it. Some people thought that Mr. Manning was more severe on men belonging to one party than on men belonging to the other party, and that caused a little friction. I presided at a meeting that was held on the subject.

20063a. All these things made it difficult of efficient enforcement?—Yes.

20064a. At first you say there was a very good observance of the law?—There appeared to be a very good observance of the law.

20065a. As long as there was a good observance of the law were beneficial effects apparent?—There is no question of that. I think on the whole there was not as much drunkenness on the streets during the Scott act regime from 1886 to 1889 as there was before. I also had experience of the Scott Act in Prescott. When the law went into force the open sale of liquor was discontinued, there was no more appearance of it in the shop windows. You might go into hotels and not see any drinking. It was done, but done in secret. The difficulty of enforcement was the proximity of the line between Canada and the United States. This is what would happen: A charge would be made and a summons issued, and some one would give a wink to the party involved, and in ten minutes he was over the river. There were some convictions, but not many.

20066a. There was no difficulty in parties going across the river to get a drink?—They could get as much liquor as they chose by going over to Ogdensburg; and if a man wanted to escape a summons he could do so by taking the boat.

20067a. In Prescott there is a brewery or distillery?—Both.



20068a. And their business made it a little more difficult to enforce the law?—Yes, the sentiment in favour of prohibition was not as strong there as in Almonte, because a good many families depended for their labour on the brewery and distillery,

*By Judge McDonald :*

20069a. We had a distiller before us from Prescott who gave evidence that during the time the Scott Act was in force, there was a large demand for small packages, and that he kept, I think, three coopers at work making ten gallon kegs which were taken away by farmers to the country. Did you notice anything of that kind?—I have heard a rumor to that effect.

*By Rev. Dr. McLeod :*

20070a. Now as a Methodist minister, you have lived in some places under the Scott Act and in other places under license; are you able to compare the condition of things under the two systems, and tell us which is preferable?—Where the Scott Act was in force drinking was not so apparent, you would not see as many people drunk on the streets.

*By the Chairman :*

20071a. Do you think there was less drinking?—Decidedly, and less drunkenness.

*By Rev. Dr. McLeod :*

20072a. So your experience has impressed you that the prohibitive system is preferable to the license system?—Decidedly.

20073a. I suppose you concur personally in the strong position taken by your General Conference?—Yes.

20074a. Now, throughout the years of your ministry have you observed a marked progress in temperance sentiment and prohibitory sentiment in the country?—A very marked progress.

20075a. Do you find in your experience as a pastor that there are fewer of those miseries and troubles in the home which result from drinking, than in earlier years?—Well, in our church alone, I would say so. In any church I have been in there might be one or two cases that I would deplore, but as a rule our people are abstainers. In the congregation there might be some more who drink.

*By the Chairman :*

20076a. Do you attribute the sobriety of your membership to the rule of the church?—Yes.

*By Rev. Dr. McLeod :*

20077a. You personally favour a prohibitory law?—Yes, a law prohibiting the manufacture, importation and sale for beverage purposes. I may say that I lived in Bowmanville in 1853, when we carried prohibition by the council.

*By the Chairman :*

20078a. Do you think the Scott Act had the effect of leading to more drinking in the homes of the people?—I do not think so, not to my knowledge.

20079a. You do not think they went elsewhere and bought a larger quantity of liquor and took it home and consumed it in their houses?—I think not, from personal knowledge I know of no such cases.

20080a. Then if the rule of your church has had the effect which you have described, if all the churches would adopt the same rule, we might have prohibition without any enactment?—You might within the churches, but there is a large population outside the churches.

20081a. Do you think there is a large proportion of the people of this country who do not go to any church at all?—There is not a very large proportion, but still there are many.

Rev. GEORGE McRITCHIE.

20082a. The numbers would not have much effect on the whole population?—In the Methodist Church there is quite a large outside congregation that are not communicants.

20083a. There is in every church, I suppose?—Yes.

20084a. You say that in your church you have had few cases of trouble caused by intemperance. I suppose there are many and who are regular attendants, and although they may not be members: you visit them also, do you not?—Yes.

20085a. In your previous answers do you refer to those who are attendants of the Methodist Church?—No. I refer to those in membership specially.

20086a. Amongst those who are not in membership have you found much distress caused by the liquor traffic?—I have found occasional cases outside the membership.

*By Rev. Dr. McLeod:*

20087a. I suppose if the Methodist Church had had a less rigid rule about strong drink, the attitude of the Church on prohibition would have been different to-day?—Very different.

20088a. And perhaps the habits of the people would have been different?—Yes.

20089a. A prohibitory law enforced by the churches has an effect upon its members?—I think so, especially churches who refuse admission to its membership of those who are engaged in the sale of liquor.

THE CHAIRMAN: As there are no more witnesses on my list, the Commission will now adjourn.



# APPENDICES

## APPENDIX No. I.

STATEMENT of the value of Hotels, Saloons and Restaurants in the city of Hamilton, filed by Mr. C. R. Smith, Secretary of the Board of Trade of that city.

### PLANT, FIXTURES AND STOCK.

Hotels, Saloons and Restaurants.....	\$201,100
Liquor Shops.....	79,900
Soda Water Manufacturers.....	16,000
Total.....	<u>\$297,000</u>

### NUMBER OF PERSONS WHO WOULD BE THROWN OUT OF EMPLOYMENT.

Hotels, Saloons and Restaurants.....	314
Liquor Shops.....	45
Soda Water Manufactories.....	13
Total.....	<u>372</u>

### TOTALS of present estimated Value of Property.

	House.	Plant, &c.	Total.
	\$	\$	\$
Hotels, Saloons and Restaurants.....	533,750	201,100	734,850
Liquor Shops.....	91,100	79,900	171,000
Soda Water Manufactories.....	13,000	16,000	29,000
	637,850	297,000	934,850

### ESTIMATED Depreciation in Value of Property.

	Present Value.	Loss.	Depreciated Value.
	\$	\$	\$
Hotels, Saloons and Restaurants.....	734,850	247,650	487,200
Liquor Shops.....	171,000	34,300	136,700
Soda Water Manufactories.....	29,000	5,450	23,550
	934,850	287,400	647,450

### ESTIMATED LOSS IN WAGES.

Hotels, Saloons and Restaurants.....	\$70,930
Liquor Shops.....	15,610
Soda Water Manufactories.....	4,500
Total.....	<u>\$91,040</u>

## APPENDIX No. 2.

STATEMENT of Spirits and Beer produced and how disposed of in the Inland Revenue Division of Guelph, for the fiscal years 1885-1893, inclusive :

DEPOSITED BY MR. G. B. POWELL, INSPECTOR OF INLAND REVENUE, GUELPH, PAGE 474.

YEARS.	Manufactured Proof Gallons.	Removed.	Duty Paid.	Total Duty paid in Division.	Beer, Gallons.	Brewers Licen- ses.
1885-86.....	251,888·47	45,406·20	36,922 84	.....	10,701·48	.....
1886-87.....	277,672·62	37,832·08	66,587 30	99,076 83	11,999·03	13
1887-88.....	312,179·17	36,258·23	59,075 62	90,449 73	12,421·02	13
1888-89.....	280,563·56	163,666·99	88,172 90	136,878 31	12,313·61	13
1889-90.....	273,201·55	63,376·90	120,427 66	162,508 64	12,748·00	13
1890-91.....	254,326·74	64,448·50	114,700 74	148,987 68	13,157·73	13
1891-92.....	262,671·44	48,614·40	100,540 78	141,890 96	12,817·20	11
1892-93.....	276,678·19	71,196·93	99,178 00	143,063 06	12,861·00	10

No spirits in bond in Wellington, in Scott Act years.

## APPENDIX No. 3.

STATEMENT of fines received under the operation of the Scott Act ; also the expenditure connected therewith in the County of Guelph :

## RECEIPTS.

1887.....	\$4,369 70
1888.....	2,714 35
1889.....	2,029 04
1890.....	155 50

9,268 59

Received from Ontario Treasury for claim of excess for expenditure over fines.....	80 00
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9,348 59

## DISBURSEMENTS.

1886—License Fund.....	\$ 866 67
1887     ".....	4,268 67
1888     ".....	2,404 15
1889     ".....	1,950 50

9,489 99

Police Magistrate, Lowe.....	\$775 00
Refunds—quashed convictions.....	151 46
Witness' and auditors' fees.....	104 70
County solicitors' fees.....	99 85

1,131 01

\$10,621 00

Net loss to the County.....	\$1,272 41
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## APPENDIX No. 4.

LOCAL Option By-Laws, Ontario.—When and Where Submitted, and the Result of the Voting.

FILED BY MR. HENRY TOTTEN, LICENSE BRANCH, TREASURY DEPARTMENT, TORONTO.

Date.	Municipality.	Status.	No. of Voters on Lists.	No. of Votes For.	No. of Votes Against.	Majority for.	Majority Against.	No. of Licenses Affected.
1890.								
Sept. 12.	Lanark.....	Township.....	449	149	42	107		*2
Dec. 24.	Wellington..	Village.....	180	65	62	3		*2
do 12.	East Luther..	Township.....	564	222	222			2
do 17.	Essex Centre.	Town.....	531	193	92	101		*3
1891.								
Jan. 5.	South Norwich.	Township.....	723	272	266	6		*4
do 5.	London, West	Village.....	503	181	137	44		*2
do 5.	Mersea.....	Township.....	877	317	266	51		*2
do 5.	Tilbury, East.	do.....	899	323	152	171		4
do 7.	Embro.....	Village.....	180	55	89		34	2
Feb. 12.	Leamington..	Town.....	472	183	168	15		*4
do 16.	Oakland.....	Township.....	301	111	74	37		*2
do 17.	North Gosfield.	do.....	524	204	62	142		*1
do 20.	Dereham.....	do.....	1,170	322	89	233		*2
do 23.	Onondaga.....	do.....	391	113	98	15		*2
do 23.	Sault Ste. Marie.	Town.....	500	146	107	39		3
do 27.	West Meath..	Township.....	744	186	156	30		*4
Mar. 9.	Parry Sound..	Town.....	287	119	69	50		1
do 13.	Binbrook.....	Township.....	502	133	132	1		*1
do 20.	Tilsenburg..	Town.....	680	243	282		39	4
April 8.	Goulbourn....	Township.....	748	155	235		80	2
Nov. 21.	McDougall....	do.....	130	30	9	21		0
1892.								
Jan. 4.	Mariposa.....	do.....	1,399	397	324	73		4
do 4.	Pickering.....	do.....	1,669	560	497	63		*7
do 4.	Haldimand....	do.....	1,300	387	387			1
do 4.	Huntville....	Village.....	263	84	100		16	3
do 15.	Winchester..	do.....	148	71	15	56		*2
do 20.	Blenheim....	Town.....	552	186	209		23	3
Feb. 1.	Storrington..	Township.....	614	233	195	38		3
do 8.	Foley.....	do.....	112	40	60		20	0
Mar. 14.	Campbellford.	Village.....	628	217	228		11	4
do 29.	Burford.....	Township.....	1,446	353	391		38	3
April 16.	Roxborough..	do.....	854	273	293		20	7
May 9.	Stouffville..	Village.....	359	137	137			3
do 30.	Wyoming.....	do.....	196	85	85			1
do 30.	Pickering....	Township.....	1,870	628	557	71		7
1893.								
Jan. 2.	Brock.....	do.....	1,156	265	459		194	5
do 2.	Coboconk....	do.....	880	339	272	67		5
do 2.	Olden.....	do.....	248	70	88		18	1
do 2.	Norwich.....	Village.....	430	132	139		7	4
Mar. 17.	East Luther..	Township.....	639	311	186	125		2
do 21.	Manville....	Village.....	154	67	34	33		2
April 12.	Gainsborough.	Township.....	893	385	202	183		2
Feb. 28.	Carnarvon....	do.....	194	59	35	24		0
May 30.	West Garafraxa.	do.....	792	224	82	142		2
Aug. 12.	Faraday.....	do.....	270	66	69		3	2
			28,419	9,291	7,853	1,941	503	....

In the case of By-laws marked thus,\* they were set aside on appeal by the Courts.

It will be noticed that By-laws were submitted twice in the Townships of Pickering and East Luther. The first vote in the former was set aside by the Courts and in the latter the first vote was a tie.

During the license year, 1892-3, By-laws were in operation in 7 townships by which 17 licenses were cut off. For the present year 1893-4, By-laws are in operation in 12 townships, cutting off 28 licenses.

## APPENDIX No. 5.

Copy of letter published in the *Globe* newspaper, of Toronto, October 28th, 1893, put in evidence by Mr. Goldwin Smith, at Q. 13764a, page 848.

*To the Editor of the Globe :*

SIR,—You have done me the honour to ask where I stand in regard to the coming prohibition plebiscite. My answer is that I stand where I stood as President of the Liberal Temperance Union, which took the field in opposition to the Scott Act. I believe in temperance, not in total abstinence, to which the name of temperance is, by a misnomer, applied. I do not think it possible, even if it is desirable, to enforce total abstinence. I do think it possible to promote temperance by wise license regulations, and by discriminating in favour of the lighter, against the stronger and more inflammatory drinks. I say this with perfect respect for the opinions of those who take the opposite view ; and they, I hope, will give me credit for desiring the suppression of vice and the misery which attends it, as heartily as they do, though I cannot agree with them as to the best means for the accomplishment of that end.

The taste for fermented liquors is common to all races of mankind, and it antedates the beginning of history. We find it embodied in the mythologies, Hindoo, Greek, Roman or Scandinavian, as well as in Hebrew tradition. This taste the extreme prohibitionist hopes to eradicate by a single stroke of prohibitive legislation. Unless he can eradicate the taste, experience shows he cannot put down the habit.

It is not unlikely that the plebiscite may be carried by religious influence or intimidation. It is not unlikely that when the plebiscite has been carried, legislators may be persuaded or driven into giving it the form of a law. Then the difficulty will commence. Make what laws you will, you cannot make people believe that drinking or selling a glass of wine or beer is a crime. Not having public conviction really with you, you will be unable to carry your law into effect. The same things will happen which have been proved by overwhelming evidence to have happened in Maine, in Vermont, in Boston and the North-west, and which happened here during our trial of the Scott Act. Law will be practically set at defiance ; perjury will be rife ; drinking will go on in secret, and, therefore, in an aggravated form, and liquor will be worse and more unwholesome than ever. This last point is to be noted. In the North-west under the prohibitive system they have been drinking rank poison, such as might well madden and incite to crime. In Maine they have had forty-three amendments to their law to increase its stringency. Nevertheless, it appears that liquor is just as much sold and there is just as much drunkenness as ever. One city, Bangor, seems to have taken itself practically out of the law. In Vermont, according to the testimony of Mr. Edward Johnson some years ago in *The Popular Science Monthly*, there were 446 places where intoxicating liquors were sold, and, though the population was stationary, the number of these places is on the increase. It surely cannot be contended that heaven enjoins a policy which heaven evidently does not bless.

If Canada were sinking into an abyss of drunkenness, as some temperance orators would lead us to believe, resort to extreme measures might be necessary and right. Canada, on the contrary, is temperate, and has been growing more so for many years past, thanks to the spontaneous agencies of church, school, voluntary association, and last, not least, medical science, the voice of which is daily gaining power. Opinion, which used not to be, is now thoroughly on the side of temperance ; and it inflicts on drunkenness penalties, the application of which is more certain than that of any penalties threatened by law. Of the drunkenness, I believe a large proportion is immigrant. A temperance lecturer told us that there were 10,000 deaths in the Dominion from drinking every year. This would be nearly half the adult male deaths in the country. In eight of our principal cities about that time the number of deaths in a month from alcoholism was two.

It is needless to go over the whole subject again, and to prove what has been proved before, that crime, to which prohibitionists imagine their policy would put an end, has deeper seeds than the love of liquor. It is needless to prove over again that the moderate use of wine or beer does not, as prohibitionists aver, necessarily lead to excess. People of the great vine-growing countries are generally temperate, and thousands of English gentlemen are taking wine every day with their dinner without ever running into excess. They no more think of emptying the decanter than they think of emptying the mustard pot.

The clergy, in denouncing all use of fermented liquors as criminal, labour under the awkward necessity of holding up as a model of character One who certainly did drink wine and introduced its use into the most sacred ordinance of His religion. The attempts to make out in defiance of the lexicon and of unbroken church tradition, that the wine of the New Testament is syrup, can, by no impartial scholar, be treated with the slightest respect.

It seems that the craving which ends in dipsomania is generally produced by whisky or other ardent spirits. Against these, as I have said, I would discriminate. I should not be unwilling even to try the effect of their total prohibition, including their manufacture and importation as well as the retail trade ; though I should greatly doubt the success of the experiment, because the law must be

limited to your own jurisdiction. Whisky would be sold and the moral code opposed to yours would remain in force on your borders. Effectually to add an eleventh commandment to the decalogue, you would require universal jurisdiction. But in the attempt radically and suddenly to change the habits of mankind by law, and force everybody to drink water, I have no faith whatever, and I appeal to multiplied and decisive experience as a warrant for my unbelief.

Against any plan for putting the liquor trade in the hands of the Government, whether national or municipal, I earnestly protest. The result under the party system would infallibly be jobbery and corruption.

GOLDWIN SMITH.

TORONTO, October 27th.

## APPENDIX No. 6.

With reference to the statistics of the consumption of liquor in the State of Maine, referred to at page 631, Questions 10457a and 10458a, Mr. W. H. Orr, in answer to a communication from the Commission, addressed the following letter to the Secretary:—

TORONTO, 18th July, 1894.

PATRICK MONAGHAN, Esq., Montreal.

DEAR SIR,—I beg to acknowledge your favour of the 12th inst., relative to a statement made by me in October last, before the Royal Commission, respecting the quantities of liquor imported into the State of Maine.

I believe I did promise to make inquiry on the subject, and forward you anything I was able to obtain, showing the quantities of liquor so imported.

I was of impression at that time that there were some sources of information on that subject, which I have since found out do not practically exist. I had seen statements of the amount of beer manufactured or consumed in the different states, and was under the impression that the name of the State of Maine was found in those tables; but I now find that these statistics relate only to the manufacture within the borders of the state, and that they relate only to beer and are furnished by brewers themselves, and that the State of Maine does not make any showing in that regard.

I was in Portland a week ago, and was told by Hon. Neal Dow that there is not now a single distillery or brewery in the State of Maine, so that I suppose it would be impossible for that reason to show that any liquor was manufactured there, except it were illicitly done, the same as it is in Canada.

And then as to liquor imported into the State of Maine, I have learned that whatever amount goes in, does so without any official record of it being kept. Most of it, I am told, goes in through express companies, and those companies carry goods without knowing of what they consist, and therefore there would be no use in expecting such companies to give any information that would be of value to the Royal Commission.

In conclusion, permit me to express my astonishment that any inquiry for further information should be made at this late day, so many weeks after it was confidently expected, not only on the part of the people, but on the part of Sir John Thompson himself (according to what he told our delegation) that the report of the Royal Commission would soon be completed, and a portion of it at least laid before Parliament very soon after that interview.

It strikes me that it would be exceedingly desirable that the Royal Commission should close up its labours and complete its report with all possible speed, and I would not like to delay its doing so in order to get in any further information, even if I found I could command any within the next few days.

I have the honour to be, dear sir,

WILLIAM H. ORR,

*Manager.*



## APPENDIX No. 7.

PRESENTED BY MR. FRANCIS S. SPENCE, (PAGE 1016.)

TABLE I.—Counties changing entirely from License to Scott Act.

COUNTY.	LICENSE.		SCOTT ACT.	LICENSE.	
	1883.	1884.	1887.	1890.	1891.
Bruce..	10	3	6	6	7
Dufferin....		1	3	2	1
Elgin.....	92	82	25	20	32
Huron.....	5	4	..	5	5
Kent.....	23	26	7	71	47
Lambton....	75	105	38	108	95
Lanark.....	9	7	9	5	5
Leeds and Grenville.....	19	135	24	58	44
Lennox and Addington.....	18	20	8	22	23
Norfolk.....	18	17	5	3	10
Northumberland and Durham.....	21	26	6	38	22
Ontario.....	10	1	..	2	..
Oxford....	28	51	50*	51	34
Peterboro.....	71	30	11	45	24
Stormont, Dundas and Glengarry.....	8	9	4	25	14
Wellington.....	93	49	22	10	4
	500	566	218	471	367

\*The returns do not give the commitments for 1887, but the county jailer states that there were 50 commitments.

TABLE II.—Judicial Counties changed in part from License to Scott Act.

COUNTY.	LICENSE.		SCOTT ACT.	LICENSE.	
	1883.	1884.	1887.	1890.	1891.
Brant..	75	58	112	182	112
Carleton.....	261	314	286	336	204
Frontenac.....	46	75	108	129	125
Lincoln.....	65	39	21	24	12
Middlesex.....	269	445	404	332	213
Muskoka and Parry Sound.....	8	16	8	28	19
Renfrew.....	17	27	2	1	0
Simcoe.....	87	99	16	34	34
Victoria and Haliburton.....	7	20	2	7	1
	835	1,093	959	1,073	720

TABLE III.—Judicial Counties remaining under License, without any change.

COUNTY.	1883.	1884.	1887.	1890.	1891.
Algoma .....	21	15	85	69	77
Essex.....	121	103	45	35	57
Gray .....	19	28	21	17	13
Haldimand.....	7	7	17	15	22
Hastings.....	57	50	51	49	34
Nipissing.....	10	17	13	97	96
Peel .....	4	10	8	30	17
Perth.....	37	14	12	14	4
Prescott and Russell.....	2				5
Prince Edward.....	70	46	20	33	19
Thunder Bay.....	296	705	148	125	120
Waterloo .....	14	11	8	17	13
Welland.....	34	23	32	16	7
Wentworth.....	376	295	373	418	251
York.....	1,485	1,661	2,166	2,085	1,783
	2,553	2,085	2,099	3,020	2,518

TABLE IV.—Counties entirely under Scott Act in 1886-7.

COUNTY.	LICENSE.		SCOTT ACT.		LICENSE.	
	1883.	1884.	1886.	1887.	1889.	1890.
Bruce.....	10	3	2	6	8	6
Dufferin.....	0	1	3	3	4	2
Huron.....	5	4	4	0	2	5
Norfolk.....	18	17	6	5	17	3
Stormont, Dundas and Glengarry.....	8	9	1	4	29	25
	41	34	16	18	60	41

TABLE V.—Counties entirely under Scott Act in 1887-8.

COUNTY.	LICENSE.		SCOTT ACT.		LICENSE.	
	1884.	1885.	1887.	1888.	1890.	1891.
Elgin.....	82	57	25	29	20	32
Kent.....	28	18	7	9	71	47
Lambton.....	105	130	38	64	108	95
Lanark.....	7	6	9	4	5	5
Leeds and Grenville.....	135	80	24	31	58	44
Lennox.....	20	6	8	7	22	23
Northumberland and Durham.....	26	26	6	12	38	22
Ontario.....	1	4	0	0	2	0
Peterboro.....	30	27	11	26	45	24
Wellington.....	49	32	22	21	10	4
	483	386	150	203	379	296

## APPENDIX No. 8.

(PRESENTED BY MR. FRANCIS S. SPENCE, PAGE 1024.)

## COUNCIL OF THE DOMINION ALLIANCE.

## Declaration of principles.

(1) That it is neither right nor politic for the State to afford legal protection and sanction to any traffic or system that tends to increase crime, to waste the national resources, to corrupt the social habits and to destroy the health and lives of the people.

(2) That the traffic in intoxicating beverages is hostile to the true interests of individuals, and destructive of the order and welfare of society, and ought therefore to be prohibited.

(3) That the history and results of all past legislation in regard to the liquor traffic abundantly prove that it is impossible satisfactorily to limit or regulate a system so essentially mischievous in its tendencies.

(4) That no consideration of private gain or public revenue can justify the upholding of a system so utterly wrong in principle, suicidal in policy, and disastrous in results, as the traffic in intoxicating liquors.

(5) That the total prohibition of the liquor traffic is in perfect harmony with the principles of justice and liberty, is not restrictive of legitimate commerce, and is essential to the integrity and stability of government and the welfare of the community.

(6) That rising above sectarian and party considerations, all citizens should combine to procure an enactment prohibiting the manufacture, importation and sale of intoxicating beverages as affording most efficient aid in removing the appalling evils of intemperance.

## APPENDIX No. 9.

(PRESENTED BY BISHOP T. W. CAMPBELL, PAGE 1046.)

Copy of resolutions adopted by the First Synod in the Dominion of Canada of the Reformed Episcopal Church.

At a meeting held in Montreal, 11th June, 1890.

Resolved: That this Synod, representing the Reformed Episcopal Church in Canada, hereby authorizes and empowers the presiding Bishop and Secretary of this Synod to sign the petition to the Dominion Parliament asking that a law be enacted to prohibit the manufacture and sale of intoxicating liquor in Canada.

At a meeting held in Ottawa, 7-9th May, 1892.

Resolved: That this Synod recommends to the several congregations that unfermented wine only be used in the administration of the Lord's Supper.

I hereby certify that the above are true copies of resolutions adopted by the courts and at the places and dates indicated, as they appear in the printed records of the Reformed Episcopal Church.

THOS. W. CAMPBELL,

*Bishop of the R. E. Church in Canada.*

## APPENDIX No. 10.

STATEMENT promised by Mr. J. Gordon Mowat, concerning the Cantons of Berne and Thurgau in Switzerland, Q. 16298a, page 1056.

Numerous applications have been made to Mr. Mowat for these statements but they have not been received up to the time of going to press.

## APPENDIX No. 11.

(PRESENTED BY REV. O. C. S. WALLACE, PAGE 1067.)

Resolution on Temperance, adopted at the Annual Convention of the Baptists of Ontario and Quebec, held at Waterford, in October, 1893.

Resolved: That in view of the disastrous effects of the use of alcoholic stimulants upon the physical, social and moral well-being of the masses, and of the evil influence of even the moderate use of such stimulants by church members, we desire as a Convention of the Baptist Churches of Ontario and Quebec to deprecate in the strongest possible manner the habit of moderate drinking indulged in by many Christians, and to express the firm belief that nothing short of total abstinence can meet the standard of New Testament Christianity in this regard. We also desire to reaffirm our oft-repeated opinion that the total prohibition of the liquor traffic by Dominion legislation is the only remedy for the evils of this traffic, and to call upon all the churches represented in this convention to use every legitimate effort by vote and influence to secure such legislation.

We earnestly hope that in this effort Christian philanthropy will over-rule political sympathy, and that Baptists everywhere will declare themselves on the side of right and temperance, irrespective of political parties, and thus hasten the time when soberness and righteousness shall prevail in all our communities.

## APPENDIX No. 12.

STATEMENT in evidence by Mr. Henry Sutherland, of the General Life Insurance Company, Toronto, at sitting of the Royal Commission on 8th December, 1893, page 1186.

*For the Royal Commission on the Liquor Traffic :*

GENTLEMEN,—When I was asked to meet this Commission to give evidence as to the results of my investigations and experience from an insurance standpoint of the difference, if any, between the lives of total abstainers and non-abstainers as to their longevity, I concluded that I could best give what would be valuable to the Commission by looking carefully into the practice of companies generally with regard to the acceptance of risks and the experience of the particular companies that have kept the two classes of risks entirely separate and summarising the results of my investigations for submission to you.

I think the statement that I am about to make may be regarded as indisputable. It is my belief that the business of life insurance involves interests of such magnitude and far reaching importance as to be the one above all others which is certain to have prompted those whose special duty it has been to make such research, and such careful study of all that pertains to the physical well-being and longevity of men as to enable them to speak with the highest possible degree of authority on the subject. If it is found then that the general consensus of opinion expressed by these officers is to the effect that any hereditary tendency or any habit is to be regarded as seriously against or barring a risk from acceptance, then that opinion is entitled to be considered of great importance as coming from the highest human authority on the subject.

Believing this I have consulted the writing of 23 independent authorities from all of whom I shall quote on this question and it will be found that while not one expresses a doubt about the baneful effects of intoxicants in nearly every case the unfavourable opinion expressed with regard to their effects is most emphatic.

I quote as follows:—

Chas. F. Stillman, medical examiner of The Mutual Life Insurance Company of New York, says on page 15 of "The Life Insurance Examiner," a work written by him: "The regular or occasional use of intoxicating liquors, tobacco or narcotics needs special investigation, as experience has proved that habits of drinking and the use of narcotics have more influence in determining the probability of life than any other adverse factor in the problem of life insurance."

The following is quoted from Pallock and Chisholm's Medical Handbook of Life Assurance by Dr. John M. Keating, Medical Referee of the Pennsylvania Mutual Life and President of the Association of Life Insurance Medical Directors of the United States. In his excellent work entitled "How to examine for Life Insurance:—"

"Intemperance is perhaps the most formidable enemy to the safe insurance of lives. It ranks before phthisis in its deadly effects on the human system. Not only is it often inherited, but organic

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ailments are by it originated and organic weakness crystallized unto disease. The tendency to disease, as phthisis, gout, rheumatism and diabetes, are by it converted into actualities. Its slow, insidious effects upon organs in hardening their connective tissue, and thereby contracting as by a band on their blood vessels and choking off their supply of blood, are exemplified in cirrhosis of the liver, but act also on the lung and kidney. By promoting the fatty degeneration of muscular tissue in the heart and the whole system of arteries, and favoring sclerotic changes in their coats, the circulation from its centre to its ultimately terminating branches is affected, and either by failure of the heart itself or by depriving the vessels of their elasticity and contractile power and favouring atheromatous changes in their coats, which lead to rupture and hemorrhages, it becomes a deadly agent. The vessels of the brain are sure to be involved and apoplexy rendered most likely. The degenerations of age are anticipated and precipitated by alcohol, and the dram-drinker is thus sure to have a shortened life.

"The primary effects of alcohol on the nervous system—from nervous disorders, from various disorders of motion and sensation up to *delerium tremens*—are among the earliest but not the most fatal of its results; and the organic alterations which we have indicated are found rather in the dram-drinker than in the drunkard. It is the man who carries his drink well and is always under its influence who is in greatest danger. We must, therefore, decline to attach any value to the statements of an applicant or his friends, that he "Never was known to be drunk." Small doses of stimulants taken repeatedly through the day and ended in a somewhat larger one at night, leave the system charged with alcohol, from which it is, in fact, never free, and the excretory organs are therefore continuously under its influence. These are the most dangerous cases, and therefore the Medical Examiner should not rest satisfied with the reply 'I have never been drunk in my life.' The most searching inquiry should be made, with all the tact of the physician, as to the quantity taken each day and the frequency of the dose. We may forgive the rare outbreak of the youthful on certain festive occasions, if we are satisfied that the habit of drinking in the day hours has not been acquired, but we cannot pass the applicant whose daily habit it is to take stimulants three or four times in the twelve hours. Drinking between meals should always be inquired about in cases in which we have any doubt about habits.

"The evidence of friends about temperance is often of the most unreliable nature. Each man has his own measure of what constitutes temperance, or what may be called excess.

"When evidence to moderation is required, the replies are often most unsatisfactory, and have frequently to be wrung out of a 'friend' by repeated correspondence as to what the habits of an applicant really are. Medical officers are well aware that this is the most troublesome part of their duties, and that finally even the most elaborate correspondence will fail to clear up the point to the satisfaction of the Board or the Examiner. In such cases we are inclined to give the Company the benefit of the doubt.

"In studying the facts of intemperance, we may distinguish the following classes of victims:—

"The dram drinker of whom we have already spoken,

"The occasional drunkard, who may get drunk at a fair or festivity several times a year, being temperate in the interval. This is very common in the country.

"The man who has violent outbreaks of intemperance at long intervals, which may last a week or a month, and then, under the influence of duties to be performed, or fear of dismissal from office, or other powerful cause endangering his position in life, subsides into temperance or total abstinence.

"For none of these can we find a place in life insurance. All of them are among the most dangerous risks which are offered to a company, and no money consideration can be put against the chances of such a life breaking up suddenly."

The Report of the Medical Director of the Federal Life Assurance Company for the year 1891, contains the following:—

"Intemperance is a fruitful cause of mortality and it is, I assure you, very often a most difficult thing to get at a man's habits. What is temperance in one man's view is intemperance in another, and *vice versa*. I consider if he has ever really been an intemperate man he is never a good risk to accept. The habit is still there latent and it only needs a favourable combination of circumstances to develop that latent tendency. I believe that many more deaths are due indirectly to this habit than we have any knowledge of, for the immediate cause of death is often but a result of systematic alcoholic poison. I think that many of the deaths given as due to the kidneys or lungs and nervous system, which form the greatest proportion of all deaths, are to be attributed primarily to alcoholism."

While all are agreed as to the effects of the immoderate and habitual use of intoxicants, all are not agreed as to the effect they have when used moderately, for we find many, in fact nearly all of the Companies accepting the total abstainers and moderate drinkers at the same rates of premium and treating them exactly alike in every respect. In fact, there was a time when moderate drinkers were considered better risks than total abstainers and persons who were total abstainers were rejected on that account.

It is recorded that the rejection of Mr. Robert Warner, President of the United Kingdom Temperance and General Provident Institution of England, by a life insurance company more than fifty years ago on account of his being a total abstainer, led him to take active measures for the establishment of this Company, which has for fifty-three years demonstrated the superior longevity of men of his principles and practice. For forty-nine years he has held the position of Chairman of the Company.

The experience of The Temperance and General Life Assurance Company, which it is my privilege to manage, has extended over well on to eight years and has justified the anticipations of its founders.

\* \* \* \*

The general mortality experience of the Company has been of the most favourable character, being low in its General Section and exceptionally low in its Temperance Section. I am not prepared to state precisely the percentage of the tabular expectation of mortality that has been in the experience of the two sections, but the difference has been such as to be obvious when expressed in a general way. This Company has had an average of about twice as much business in its Temperance as in its General Section, taking its history throughout, and its losses have been for practically the same amount in the two sections. This, in the face of the fact that we are extremely rigid in our requirements with regard to the use of intoxicants by those accepted in our General Section, proves to my satisfaction at least that total abstainers are much better risks and likely to live much longer than those persons even who are regarded as very moderate in their use of intoxicants.

All this goes to prove that total abstinence is better for the individual practising it, and how vastly better it is for wives and children and friends, and the community generally, it is scarcely possible to conceive.

NOTE.—The parts of Mr. Sutherland's paper which are omitted have reference to the regulations of various companies in the United States, which it has not been considered necessary to print.



## ADDENDA AND ERRATA.

The following letter is referred to by the Rev. James S. Ross, of Woodstock, Ont., in his evidence on the 9th October, 1893, as given at page 224 :—

To the Editor of the *Sentinel Review*.

DEAR SIR,—In justice to the hotelkeepers who signed and delivered their bonds to Mr. Kendall, I wish to throw some light on that subject for the benefit of the public. In December of last year the liquor dealers met in the vestry of New St. Paul's Church, at the solicitation of the Revs. Farthing and Brady, and there discussed the means whereby Sunday drinking could be abolished (so far as licensed houses were concerned), and finally decided upon the following method :

Moved by Mr. Joseph E. Thompson, seconded by Mr. John W. O'Neill, and resolved ;

That we, the liquor dealers of the town of Woodstock, agree to observe the Crooks Act in every particular from seven p.m. on Saturday, to six a.m. on Monday. As a guarantee of our good faith we agree to give our bond for \$200 for each and every offence, said bond, to be signed by two respectable persons, and those forfeited to be paid to some charitable object, such bond to be considered forfeited on conviction of such violation before the Magistrate or Judge. In case of transfer of license or sale, the person in possession to assume the responsibility ; but in the event of failure to pay the bond, then the original bondsmen to be responsible. This agreement to come into effect on the first January 1892.

We, the undersigned, agree to the above resolution :

(Signed). J. C. Miller, P. Farrel, J. E. Thompson, Nesbitt & Co., John M. McKay, L. A. Gurnett & Bro., George Douglas, H. & F. Matthews, William Price, C. E. Rapson, Neil Swartz, William Davis, J. W. O'Neill, H. A. Willis, Caleb Caister, James Scott.

The following are the gentlemen who kept their word : Neil Swartz, William Davis, Hy. Matthews, L. A. Gurnett & Bro., Nesbitt & Co., George Douglas, H. F. Willis, and J. E. Thompson. These bonds were all signed in good faith, and why the rest of the gentlemen did not have their bonds executed I cannot understand, after signing the agreement. If they did not intend to do as they agreed, the meeting was the place to say so ; not to be beating around the bush as they have been doing. For my part I am willing to let my bond stand, and furthermore, I am prepared to make an affidavit that I have never violated the agreement directly or indirectly. How many are prepared to do the same ?

In reference to the legality of the bonds I wish to state that I had the opinion of two of our leading lawyers, and they pronounced them perfectly good.

(Signed) J. E. THOMPSON



ROYAL COMMISSION ON THE LIQUOR TRAFFIC.

The following letter in reference to his evidence (pages 729-737) was received from Mr. Eugene O'Keefe of Toronto, after the evidence was printed :

THE O'KEEFE BREWERY Co., OF TORONTO, LIMITED,  
8th August, 1894.

Sir JOSEPH HICKSON,  
Montreal,

DEAR SIR,—You will probably remember that part of the evidence given by me, before the Royal Commission in Toronto, in reference to the extraordinary increase in the production and consumption of malt beverages and particularly lager beer. Without having the official returns at the time, I stated, that I felt safe in putting the quantity of lager produced for the year, at between 1,110,000 and 1,200,000 (eleven and twelve hundred thousand gallons, wine measure) against 4,625 gallons wine measure in 1865. I have the complete official returns to-day, and find that I was much below the mark, the figures stand 1,529,820 wine gallons. You may again ask "How is this to be accounted for?" and the same answer I gave before the Commission is the only one I can now give, viz., "that this comparatively harmless beverage, has displaced an enormous amount of ardent spirits, and is doing more in the interest of temperance, than all the prohibition lectures delivered throughout the country." Ale has also increased immensely in the time mentioned.

Yours most respectfully,

(Signed) E. O'KEEFE.

*ERRATA.*

Page 1262, line 17, from foot:—for Judge McDonald read Rev. Dr. McLeod.

Page 1274, line 27, from top, should read "that the Commission has suggested, generally and particularly, to Mr. Kribs, to leave."

Page 1274, 21st line from foot; insert "the word " between "withdrew" and "doctoring."

Page 1276, line 10 from foot; after "on the first day" insert "and repeat now."

Page 1292, question 18911a, omit the word "as" after "diminishes."

Page 1297, question 18978a, for "when" read "then."

Page 1301, question 19014a, for "as I understand" read "am I to understand."

# INDEX AND ANALYSIS OF EVIDENCE.

## ONTARIO.

### BROCKVILLE, 2nd OCTOBER, 1893.

- BOOTH, DAVID SPENCER, Mayor of Brockville. .... Page 1**  
Resident 40 years (1a-2a); contractor, prohibition under public works Act (3a-8a); community sober and orderly (9a-12a); Scott Act unsuccessful in Brockville (16a-18a); majority sympathetic (19a-21a); drinking increased (22a-37a). Favours compensation (23a). Prohibition wanted (24a-29a). License enforced (34a-35a); preferable to Scott Act as worked (40a).
- BOYD, SAMUEL I., of Brockville, Collector of Excise ..... Page 28**  
Produces statistics for Brockville (506a-516a); Scott Act indifferently enforced in Prescott, hard to enforce (515a-520a); officials inert, public antagonistic (521a-527a); Act became system of license (528a-529a); home drinking (531a).
- BUELL, JACOB D., of Brockville, Clerk of the Peace ..... Page 30**  
County Crown Attorney, ex-M. P.; resident 60 years (536a-540a). Drinking decreased (541a-542a). Scott Act observed at first (543a-547a); produced bad effect (569a); public sentiment prevented working (572a). Favours prohibition (548a; 566a; 573a); impracticable, difficulties with officials, and revenue (549a-565a). Law not enforced, evil in effect (567a-568a). License preferable to Scott Act (570a).
- COLE, WILMOT H., of Brockville, County Registrar ..... Page 3**  
Chairman of License Commissioners 9 years (41a-51a). Method of granting licenses (53a-60a; 93a-96a); law enforced (61a-63a). Scott Act, pretty lame Act; enforced; fines, how disposed of (64a-76a; 97a-99a); wants special powers to enforce (100a-107a); temperance people apathetic (82a-85a; 111a-115a); was educational (86a-87a; 108a-110a); why repealed (122a-125a). Favours prohibition; anti compensation (88a-92a; 116a-120a; 126a-129a); would require special machinery (130a-139a).
- DARGAVEL, JOHN, of Brockville, Town Clerk ..... Page 24**  
Clerk 14 years (399a-403a). Statistical information (404a-419a). Anti Scott Act, difficult, much drunkenness, more perjury (428a-432a; 441a-454a; 458a); indirect license (433a); impracticable (446a-453a). Favours prohibition, and compensation (427a; 434a-439a; 442a-443a; 459a-464a). Temperance growing (444a-445½a).
- DEACON, JOSEPH, of Brockville, Police Magistrate ..... Page 12**  
Resident 33 years (190a-194a). Scott Act, drunkenness decreased; good at first; became irregular license; difficult; people disgusted; educated in perjury; better off statute-book (195a-214a; 223a-240a; 249a-251; 264a-267a). Favours prohibition (234a; 241a-248a). Enforced license preferable (252a-255a). Drunkenness decreasing (253a-254a). Anti saloons (259a-261a).

- DUMBRILLE, JOHN**, of Brockville, Inland Revenue Officer.....Page **27**  
 Produces statistics for Prescott, Grenville, Leeds and Dundas (481a-502a); equal drinking under Scott Act and license (504a-505a).
- FRENCH, CHARLES N.**, of Brockville, County Treasurer.....Page **41**  
 Resident forty years (753a-754a); favours prohibition (755a-758); Scott Act, not enforced, better than license; less drunkenness; liquor sold; difficulties with bars and witnesses (755a-781a); used for political purposes (798a); why repealed (790a-800a); beneficial (802a); intimidation under Scott Act (803a-806a); worse under license (783a-789).
- GILL, JOHN M.**, of Brockville, Merchant.....Page **44**  
 President of James Smart Manufacturing Company (807a-809a); favours total prohibition (810a-822a); and compensation (823a); Scott Act beneficial; not enforced; why repealed (824a-834a; 846a-850a); liquor and wage earners (837a-841a).
- LABATT, G. T.**, of Prescott, Brewer.....Page **36**  
 Brewer since 1869 (655a-657a); produces statement of output, showing unaccountable increase during Scott Act (658a-668a; 683a-688a); favoured repeal, act demoralizing (669a-672a); sales decreased on repeal (682a); government partners in traffic (671a; 693a-697a); system of license (673a-677a); prohibition means total loss; would expect compensation (679a-681a; 692a-696a).
- MANSELL, DAVID**, of Brockville, County Treasurer.....Page **40**  
 Resident twelve years (724a-727a); produces statement of fines under Scott Act, and disposition thereof (728a-738a); act not observed; injurious (739a-741a; 747a-755a); anti prohibition; favours compensation (742a-745a).
- MCCARTHY, D. J.**, of Prescott, Brewer.....Page **38**  
 Corroborates Mr. Labatt (698a-702a); produces statement showing increase under Scott Act; no financial benefit; hard to collect payment (703a-711a); anti prohibition; impracticable; would expect compensation (712a-719a); liquor sold generally under Scott Act (721a-723a).
- PHILIPS, ROBERT R.**, of Yonge, Inspector of Licenses.....Page **17**  
 Inspector eight years; Scott Act; prosecutor under local organization; difficulties; act reduced to system of license; failure; demoralizing; improvement since (268a-305a; 322a-327a; 334a); temperance sentiment increasing (308a-312a) sympathy with offenders non-existent under license (319a-321a); anti saloon (328a); anti compensation (331a).
- RICHARDSON, WILLIAM**, of Brockville, County Clerk.....Page **31**  
 Ex-M.L.A., formerly County Councillor; resident four years (574a-579a); Scott Act not enforced; public opinion antagonistic; bad influence; more demoralizing than license (591a-600a; 612a; 620a-625a; 633a-636a; 637a-645a; 649a-654); enforcement lax; meant heavy license; proper enforcement would have been beneficial (613a-619a); stringent license better than prohibition (601a-603a); prohibition impracticable (646a); temperance sentiment growing (604a-607a); anti compensation (608a-609a); license preferable (626a-632; 647a-648a).

- RUDD, GEORGE, A., of Brockville, Harness maker.....Page 21**  
 Resident thirteen years (335a-338a); Scott Act unsuccessful; not enforced; else good (343a-349a; 360a-362a, 368a-370a; 381a-383a); touched temperance men's pockets (352a); why repealed (371a-372a; 389a-391a; 394a-395a); favours prohibition; practicable (350a-351a; 353a-358a); would benefit wage-earners (373a-380a); anti compensation (359a); license or Scott Act both alike (363a-367a).
- WHITNEY, ALBERT, of Prescott, Distiller.....Page 9**  
 Distiller thirty years (140a-144a); output increased by action of law; statistical information (145a-152a); Scott Act unsuccessful; threw trade into unreliable hands (153a-158a; 162a-168a); people continued to sell (167a-175a); easy to get liquor (174a); more respectable under license; license preferable (159a-161a).
- WISER, JOHN P., of Prescott, Distiller.....Page 11**  
 Distiller since 1857; more capital wanted now (175a-178a; 184a); Scott Act produced small sales, and home consumption (179a-183a); sales generally increased (185a-189a).

### PETERBOROUGH, 4th OCTOBER, 1893.

- CALCOTT, HENRY, of Ashburnham, Brewer.....Page 66**  
 Brewer since 1885 (1248a-1251a); produces statistics showing increase under Scott Act (1252a-1257a; 1286a-1288a; 1299a-1303a); anti Scott Act; immoral; Act was not observed; brewed and sold under it; could not collect (1258a-1277a; 1279a-1285a; 1289a-1297a; 1309a-1316a); 1319a-1323a; anti prohibition; favours compensation (1278a; 1307a-1308a).
- CHAMAN, WILLIAM, of Peterborough, Secretary of Y. M. C. A.....Page 100**  
 Excess of licenses in Peterborough (1899a-1901a); officers alert; but Scott Act not observed; treating common (1902a-1917a).
- CLARKE, JOHN, M. D., of Peterborough.....Page 90**  
 Resident ten years (1741a-1743a); corroborates Mr. Winch (1744a); Scott Act well observed at first; then unsuppressed illicit sales; general non-observance (1745a-1754a); favours prohibition and compensation (1755a-1761a); evil results of liquor; sometimes beneficial (1762a-1766a).
- COCHRANE, GEORGE, of Peterborough, License Inspector.....Page 69**  
 High Constable and Commissioner for Peddlers' Licenses (1327a-1335a); Scott Act, difficult to enforce; illicit selling; hawking; false transfers; public sympathy antagonistic (1345a-1375a); why repealed (1385a); required more time (1408a-1409a); favours prohibition (1382a-1383a; 1410a); license better observed; some infractions; better than Scott Act; licenses cancelled (1393a-1398a; 1400a-1422a).
- DUMBLE, D. W., of Peterborough, Police Magistrate.....Page 79**  
 Resident thirty years; County Police Magistrate (1555a-1558a); Scott Act, enforced at first; usefulness destroyed by legislation; perjury rife; sym-

**DUMBLE, D. W.—Continued.**

pathy with old licensees; virtual license arrangement (1563a-1589a; 1600a-1604a); favours prohibition, enforced by sheriff and constable; favours compensation; liquor money blood money (1590a-1599a; 1614a-1620a); licensees suppress illicit selling (1605a-1610a); drunkenness decreasing; arrests increasing (1623a-1628a); blot out liquor, blot out magistrate and court (1629a-1630a).

**EDGEcombe, PEARCE, of Peterborough, County Treasurer..... Page 48**

Resident thirty years (851a-855a); Scott Act fines and their disposal (856a-869a); Act virtually dead when repealed; selling existed (875a-879a); drinking decreasing (894a); liquor traffic evil (900a).

**EDWARDS, E. B., of Peterborough, Barrister..... Page 93**

Practitioner eighteen years; solicitor for Scott Act (1808a-1810a). History of Scott Act period; success and gradual failure; reasons for both; why repealed; only experiment (1811a-1826a; 1830a-1838a). Favours prohibition; no compensation (1826½a-1829a).

**EYRES, WILLIAM, of Peterborough, Farmer..... Page 97**

In Victoria County thirteen years; in East Durham eight years; formerly President of Victoria Scott Act Association (1862a-1867a); Scott Act beneficial at first; destroyed by legislation; non-enforcement, and politics caused repeal; Police Magistrate antagonistic, but enforced act (1866a-1889a); favours prohibition; anti compensation (1892a-1896a).

**FIFE, JOSEPH A., M. D., of Peterborough..... Page 73**

Resident fifteen years (1424a); prohibitionist; supported Scott Act (1428a-1432a); Act good at first; loss of fines destroyed enforcement fund; virtual license proposition refused; outrages on supporters; why repealed; preferable to license (1443a-1478a; 1497a-1502a; 1508a-1519a; 1540a-1551a); license law not enforced; fewer licenses desirable (1479a-1483a; 1486a-1487a; 1520a-1522a); favours prohibition; objects to being partner in liquor traffic; anti compensation (1484a-1493a; 1552a-1554a); drunkenness decreasing (1494a-1498a); legalized trade dangerous (1523a-1529a); total abstainers best men (1528a-1531a); heredity (1532a-1539a).

**GRAHAM, ROBERT, of Lakefield, merchant..... Page 51**

License Commissioner eight years (911a-915a); druggist licenses under Scott Act (917a-918a); Scott Act Inspector enforced law (921a-927a); Act well enforced; why repealed; proved beneficial (933a-943a; 986a-990a; 1043a-1048a); Temperance sentiment growing (944a-950a); duties of License Commissioners and Inspector (952a-965a); license law well observed; some infractions; politics interfere (956a-978a; 1056a-1061a); Drink traffic injures trade (991a-994a); Scott Act repeal no criterion of temperance sentiment (995a); favours prohibition (996a-1021a); statistical evidence (1022a-1031a; 1049a-1053a); anti saloon (1032a-1040a).

**HAMILTON, PETER, of Peterborough, manufacturer..... Page 96**

Favoured Scott Act; disappointed in result; no enforcement; difficulties (1839a-43a); drink and labour (1844a-1852a; 1857a-1860a). Favours prohibition and compensation (1853a-1856; 1861a).

**ROSZEL, GEORGE I, of Peterborough, Chief Constable.....Page 62**

Resident since 1888 (1142a-1145a). Scott Act not enforced; became irregular license; why repealed (1146a-1160a; 1188a-1190a; 1237a-1240a), dives rooted out (1164a-1168a; 1209a-1211a; 1241a). License preferable (1161a-1162a; 1204a-1208a; 1242a-1247a). Law broken; perjury exists; licenses revoked 1172a-1179a; 1180a-1185a; 1194a-1200a; 1212a; 1216a-1223a). Police and inspector's duties (1224a-1228a). Drunkenness decreasing (1235a-1236a).

**THOM, Rev. JAMES, of Peterborough, Methodist .....Page 86**

Resident over two years (1684a-1686a). Scott Act in Brock, North Ontario, enforced; beneficial (1688a-1690a). In Newcastle, West Durham. Act beneficial; unsatisfactory; terrible results of repeal (1692a-1694a); why repealed (1695a-1698a; 1714a-1718a; 1723a; 1728a-1738a). License broken in Peterborough (1699a-1700a). Favours prohibition, anti compensation; people must appoint officers (1701a-1705a; 1719a-1721a; 1724a-1727a; 1739a-1740a). Scott Act better than license (1706a-1708a). Liquor-degrading; law an educator (1709a-1712a).

**WINCH, H. C., of Peterborough.....Page 84**

Resident 49 years; Town councillor (1633a-1637a). Scott Act very demoralizing; liquor and drunkenness everywhere (1640a-1654a; 1660a-1683a).

**WOOD, ROBERT E., of Peterborough, Clerk of the Peace.....Page 51**

County Crown Attorney; resident 20 years (1062a-1066a). Drink and crime (1073a-1076a; 1120a-1128a). Scott Act not enforced difficulties; want of funds; violations general (1077a-1094a; 1129a-1131a). Law requires sympathy of public (1104a-1109a; 1111a-1116a; 1137a-1140a); 3 years no trial (1119a). License better than Scott Act (1084a; 1091a). Favours prohibition (1110a-1133a; 1136a).

**YOUNG, Rev. WILLIAM R., of Peterborough, Methodist .....Page 91**

In Lennox during Scott Act (1769a-1772a). Scott Act in Lennox well enforced; disappointed expectations (1773a-1785a); in Wellington violated (1787a-1789a). Sunday trading in Millbrook (1790a-1795a). Peterborough fairly good (1794a-1796a). Favours prohibition (1797a-1800a). Drinking demoralizing; anti treating (1801a-1807a).

**HAMILTON, OCTOBER 6 and 7, 1893.**

**BEASLEY, THOMAS, of Hamilton, City Clerk.....Page 122**

Clerk 30 years; Clerk of the Police Court (2257a-2258a). Produces statistics showing diminution of crime; attributed to hard times (2259a-2261a; 2280a-2285a). Growing temperance sentiment (2262a-2263a). Drinking in Maine (2264a-2265a; 2279a). Anti prohibition: favours compensation (2266a-2268a; 2274a-2278a); License fees, fines and their disposal (2269a-2272a).

**BLAICHER, PETER C., of Hamilton, Mayor .....Page 102**

Scott Act defeated; too British for prohibition, Scott Act or National; liquor traffic innocuous; favours compensation (1932a-1963a; 1981a-1983a). License law not enforced; violated; police on war path; too many licenses; agitation

**BLAICHER, PETER C.—Continued.**

to reduce rejected; hotels without accommodation (1966a-1973a; 1984a-1996a; 2110a-2111a); law not observed immoral (1977a). Scott Act elsewhere evaded; license preferable (1975a-1976a; 2001a-2009a). Scott Act discussion beneficial (1978a-1980a). License and value of property (1997a-2000a). Anti saloons (2012a-2014a). Favours heavier penalties under license (2015a-2016a). License Commissioners strong politicians (2021a).

**BRADLEY, STINSON, of Milton, Chief Constable.....Page 187**

Coal dealer; constable under Scott Act (3318½a-3321a). Scott Act not enforced; numerous violations and convictions; dives; difficulties with witnesses; much drunkenness; why repealed (3322a-3360a; 3376a; 3441a-3443a; 3492a). License law enforced; drunkenness less; condition improved and preferable (3361a-3372a; 3438a-3440). Anti prohibition; favours compensation (3373a-3375a).

**BRETHOUR, REV. D. L., of Burlington, Methodist.....Page 144**

Favours prohibition; anti compensation (2651a; 2673a-2677a; 2679a-2681a). Scott Act in Halton enforced; difficulties gradually removed; threats and persecution; medical men grew careful; effect marvellously healthy; little drunkenness; effect remains and enforces license beneficially (2654a-2658a); causes of repeal more political than moral (2660a-2666a). Act practicable (2667a-2772a). Drinking produces social degradation (2682a-2684a).

**BUCHANAN, W. W., of Hamilton, Journalist.....Page 148**

Resident 8 years; editor of *The Templar* (2686a-2688a). Scott Act reduced visible intemperance (2689a-2691a). License law violated; charges made and investigated; too many licenses; insufficient accommodation; prohibitory clauses spasmodically enforced (2692a-2701a; 2735a-2736a). Temperance sentiment growing (2708a-2710a). Favours prohibition, anti compensation (2711a-2715a; 2739a-2744a; 2751a-2753a). Desirable fiscally (2737a-2738a). Scott Act killed by politics (2716a-2620a; 2728a-2734a). Temperance people not educated to enforce (2721a-2724a). Municipal councils elected on other issues hostile (2725a-2727a). License Commissioners politicians (2745a-2758a). Illicit selling at races (2747a-2750a). Pluralism in licenses (2754a-2758a).

**CASEY, T. W., of London, Journalist.....Page 195**

Editor of temperance paper 20 years; Grand Secretary of Good Templars; formerly License Commissioner and Provincial Inspector (3493a-3502a). Scott Act observed or not according to officials (3503a-3507a). Where Dunkin Act failed (3509a-3514a). Scott Act advantages and defects (3514a-3524a); now efficient (3539a-3544a). Favours prohibition (3532a-3538a; 3552a-3553a). Scott Act disappointed prohibitionists (3545a-3551a). License in Hamilton loosely administered; hotels without accommodation; one man owns them all (3554a-3564a; 3582a-3588a). Politics at fault (3565a-3581a). No illicit sale (3560a; 3590a-3595a).

**RECALLED.....Page 372**

License system failure; Ontario law; then Scott Act tried, why unsuccessful, threefold prohibition must succeed; the fiscal situation; prohibition advantageous every way.

**COPP, ANTHONY, of Hamilton.....Page 209**

As ironfounder experienced difficulty and loss through liquor (3700a-3706a; 3717a-3719a). Wage-earning powers lessened (3707a-3716a). Favours prohibition (3710a-3716a).

**COPP, WILLIAM JOSEPH, of Hamilton, iron-founder.....Page 180**

Resident 40 years; large employer (3192a-3196a). Prefers sober men (3197a-3203a; 3221a-3225a); business losses through liquor; drinking habits improving (3204a-3209a). Too many licenses (3210a-3213a). Favours prohibition, anti compensation (3215a-3220a; 3226a-3227a; 3236-3237a). Licensed places depreciate property (3228a-3229a). Labourers losses through liquor (3230a-3234a; 3238a-3240a).

**CRERAR, JOAN, of Hamilton, County Crown Attorney.....Page 180**

Clerk of the Peace (2452a-2455a). Crime decreasing (2460a-2474a). Crime, especially perjury and drink (2460a-2474a). Total prohibition impracticable (2475a-2498a); would be beneficial (2525a-2526a). Forbes-Mackenzie Act in Scotland (2486a-2490a). License preferable; more easily enforced (2491a-2493a; 2500a). Anti compensation (2499a). Law well observed in Canada (2503a). Effects of legalized trade (2504a-2524a; 2540a-2541a). Law powerless unless supported by public opinion (2427a-2529a). Law enforced in Hamilton (2530a-2534a). Scott Act morally more degrading than license (2536a-2539a; 2547a-2550a). Retailers represent wholesalers (2542a-2543a).

**CUMMER, W. L., of Hamilton, Secretary-Treasurer of the Grant Lottridge Brewing Company.....Page 164**

Resident since 1882 (2907a). Presents statistics of output, shewing steady increase during 13 years (2910a-2917a; 2921a-2925a). Did little business in Scott Act counties during period (2918a-2920a; 2949a-2954a; 2960a-2966a). Company own mortgages on numbers of retail houses (2926a-2945a; 2955a-2959a); Favours compensation (2946a 2948a).

**GEOGHAGAN, Rev. THOMAS, of Hamilton, Rector of St. Paul's.....Page 177**

Resident 6 years (3135a). Local option in Crawford County, Penn. (3136a-3139a). Treat alcoholism as disease (3140a-3143a). Destitution and drink (3144a-3145a). Extravagance, laziness and ignorance causes of poverty (3164a-3183a). Favours license preparatory to prohibition; anti compensation (3146a-3156a; 3184a-3185a). Law fairly observed (3157a); prohibitory clauses broken (3157a-3162a). What is wine (3186a-3191a).

**JELFS, G. F., of Hamilton, Police Magistrate.....Page 108**

Resident 21 years (2024a-2026a). Has few license cases (2027a-2031a). Drink and crime (2032a-2036a; 2065a-2078a). Police and license law (2037a-2040a; 2080a-2082a). Too many licenses (2041a). Anti saloon (2042a-2046a; 2100a-2105a). Anti-prohibition, favours compensation (2055a-2058a; 2062a; 2084a-2085a). License class legislation; regulated free sale best (2086a-2094a). Perjury and liquor (2059a-2060a). License law hard (2064a). Drinking social evil (2083a).

**MASON, JOHN J., of Hamilton, Accountant.....Page 183**

Resident 40 years; formerly Mayor (3241a-3247a). Police and license (3248a-3250a). License law observed; too many licenses (3251a-3252a; 3259a-3262a; 3289a-3290a; 3311a). Favours light liquors (3263a-3266a). Scott Act in Woodstock; result bad (3253a-3254a; 3271a-3273a). Anti prohibition; favours compensation (3255a-3258a; 3275a; 3314a). Corroborates Rev. Geoghagan (3267a-3268a; 3315a-3318a). Temperance increasing (3269a-3270a). License preferable to Scott Act (3274a). Law not observed demoralizing (3277a-3278a; 3286a-3288a). Non license; bad in effect (3280a-3285a). Saloons and school houses (3292a-3308a).



**MILNE, JOHN, of Hamilton, Manufacturer . . . . . Page 204**

Resident 39 years; large employer (3612a-3617a). Labour and liquor; protested saloon licensed (3608a-3634a; 3639a-3641a). Anti prohibition; favours compensation (3635a-3636a). License well observed (3637a-3638a).

**MURTON, JOHN W., of Hamilton, Coal Dealer . . . . . Page 155**

Resident 50 years; 12 years chairman of License Commissioners (2759a-2762a). Duties and work of Commissioners (2763a-2781a; 2804a-2812a). Board enforce law (2783a). Commissioners unpaid; political but unbiased (2784a-2789a; 2801a-2803a; 2813a-2818a; 2823a-2824a). License best separate from municipal body (2790a). License law observed (2791a-2800a; 2819a-2822a). Saloons and property (2825a-2832a). Anti prohibition (2833a). Scott Act disastrous in Halton; great drunkenness in Milton (2834a-2837a; 3097a). Favours compensation (2838a-2842a).

**McKELLAR, ARCHIBALD, of Hamilton, Sheriff of Wentworth . . . . . Page 141**

Resident 18 years (2620a). Formerly License Commissioner (2621a-2623a). Crime and liquor; favours sanitariums for habitual drunkards (2624a-2629a). Prohibition depends on public sentiment for effect (2630a-2631a; 2634a-2635a). Drinking decreasing (2632a-2633a). Favours prohibition; anti compensation (2636a-2646a).

**McKENZIE, JOHN J., Inspector of Licenses . . . . . Page 123**

Resident 12 years (2286a). Changes in license law (2290a-2294a). Present Act good (2295a-2296a); observances and infractions (2310a-2321a; 2327a-2332a; 2382a-2416a). Favours liability of premises (2321a-2326a); inspection of liquor (2333a-2336a); high license and reduced numbers (2421a-2432a). Favours national prohibition (2337a-2339a; 2342a-2346a). Temperance sentiment growing (2340a-2440a). Saloons required; prefers hotels (236a0-2361a; 2364a-2375a; 2434a-2440a). His duties (2376a-2381a). Difficulty with witnesses (2441a). License regulates traffic (2442a-2451a).

**McKINNON, HUGH, of Hamilton, Chief of Police . . . . . Page 113**

Resident since 1862 (2106a). Drink and crime (2107a-2114a; 2192a-2198a; 2218a-2234a; 2889a-2906a). Police and license (2119a-2125a). Anti saloon (2132a-2134a). Produces statistics showing recent decrease in drunkenness (3151a). Temperance sentiment growing (2136a 2139a; 2216a-2217a). Drink and poverty (2140a-2141a). Prohibition unsuccessful in Prince Edward Island (2142a-2147a; 2157a-2158a; 2206a-2211a). Favours prohibition; anti compensation (2148a 2152a; 2240a-2243a). License preferable (2218a-2219a); difficult to enforce (2213a-2215a); difficulties (2153a-2170a). Convictions under license (2159a-2161a). Juvenile crime (2176a-2191a; 2200a-2202a; 2244a-2247a). Social evil (2193a-2197a). Anti free sale (2203a-2205a). Law dependant on public sentiment (2211a-2212a). Favours sanitariums for drunkards (2235a-2239a). Heavier penalties wanted (2248a-2253a).

**OGILVIE, JAMES, of Hamilton, Governor of Jail . . . . . Page 160**

Resident 8 years (2843a-2844a). Committals decreasing (2845a-2848a); moral tone improving (283a-2887a). Crime and liquor (2849a-2855a; 2876a-2881a). Favours special treatment for chronic drunkards (2857a-2862a; 2873a-2874a). Favours prohibition; anti compensation (2866a-2871a). Presents jail statistics (2871½a-2872a).

- ROACH, GEORGE**, of Hamilton..... Page **203**  
 Director of Bank of Hamilton; formerly Mayor (3596a-3598a); Scott Act ineffective at Orangeville, Port Elgin and Simcoe (3600a); license system best going; few infractions; beneficial (3601a-3606a); anti prohibition; favours compensation (3607a-3608a); formerly refreshment room licensee (3609a-3611a).
- SMITH, C. R.**, of Hamilton, Secretary of Board of Trade..... Page **20**  
 Resident thirty years (3720a); produces statistics of trade in city (3721a-3722a); license most successful (3724a-3726a); anti prohibition; favours compensation (3727a-3728a). Produces statistics of liquor traffic (3278a-3231a).
- STROUD, WILLIAM**, of Hamilton..... Page **206**  
 Resident sixteen years; lessee of Dundurn park (3642a-3649a); contradicts Mr. Casey's statement; lives up to license (3650a-3657a; 3667a-3673a; 3686a-3690a); license observed in city (3658a-3659a); Scott Act in Brantford, Paris, and Woodstock worse than license far (3660a-3662a; 3674a-3785a); improvement under license (3663a-3666a).
- WALTER, FREDERICK**, of Hamilton, License Inspector..... Page **138**  
 Resident twenty-four years (2551a-2555a); license law well observed (2556a-2565a; 2591a-2608a); favours liability of premises (2566a-2576a); taverns *vs* saloons; accommodation difficulties (2577a-2584a; 2609a-2616a; 2618a-2619a). Anti prohibition; favours compensation (2588a-2590a). Drinking at Dundurn park (3690a-3699a).
- WILSON, ARCHDALE**, of Hamilton, druggist..... Page **175**  
 Vice-President of Board of Trade (3098a-3099a). Hamilton law abiding, prosperous (3100a-3108a). Temperance sentiment growing (3107a-3108a). Anti prohibition; favours compensation; liquor trade innocuous (3109a-3114a). Favours high license; fewer licenses; and no treating (3116a-3124a; 3130a-3134a). Treatment for alcoholism (3117a-3119a). Favours light beverages (3125a-3129a).
- YOUNG, WILLIAM H.**, of Halton, Broker and Conveyancer..... Page **168**  
 Police Magistrate under Scott Act (2969a-2970a). Scott Act beneficial; well enforced though difficult (2072a-2979a: 3017a-3018a; 3024a-3026a; 3072a-3083a). Denies Mr. Murton's statements *re* Milton (2975a; 3035a-3052a; 3070a-3071a; 3084a-3096a). Politics with bribery caused repeal (2980a-2990a; 3006a-3016a; 3027a-3034a; 3068a-3069a). Favours re-enactment (3005a). Favours prohibition; anti compensation (2991a-2998a). Increased drunkenness in Halton now (2999a-3000a). Less prosperity (3003a-3005a). Fatalities on repeal (3073a).

## WOODSTOCK, OCTOBER 9th and 10th, 1893.

- BALL, FRANCIS R.**, of Woodstock, County Crown Attorney..... Page **228**  
 Attorney since 1863 (4019a). Drink and crime (4020a-4024a). Scott Act failed despite efforts of officers; temperance people inactive; causes of failure (4025a-4034a; 4040a-4049a; 4056a-4058a). Riots under Scott Act (4035a-4038a). Instigated by tavern keepers (4052a-4055a). Anti prohibition; impracticable; injurious (4039a). License well observed (4050a-4051a; 4064a-4069a). Favours Gothenburg system (4059a-4063a). Vote to reduce number of licenses ignored (4070a-4072a). Favours compensation (4073a-4075a). Favours light wine and beer license (4076a).

- BRADY, JAMES**, High Sheriff of Oxford ..... Page **218**  
Presents statement of jail statistics for 9 years.
- BROWN, H. P.**, of Woodstock, County Treasurer ..... Page **365**  
Treasurer 24 years (4567*a*). Presents a statement of fines and expenditure under Scott Act (4568*a*-4579*a*). Scott Act much violated ; all first offences (4580*a*-4585*a*). Favours prohibition ; anti compensation (4586*a*-4594*a*).
- CAMERON, JOHN**, of Woodstock, Governor of Jail ..... Page **260**  
Resident 25 years (4462). Corrects mistake in Government statistics (4463*a*-4466*a*). Criminals and liquor (4467*a*-4473*a*). More drinking under Scott Act than license (4474*a*-4480*a*). Public antagonism frustrated Scott Act (4481*a*). Idleness, liquor, and sensuality causes of crime and poverty (4482*a*-4484*a* ; 4487*a*-4495*a*).
- DOUGLAS, MALCOLM**, of Woodstock, License Commissioner ..... Page **266**  
Scott Act unsuccessful ; worse than license (4597*a*-4601*a* ; 4641*a*-4647*a*) ; hard to enforce (4610*a*-4614*a*). License partially enforced ; hard to convict (4604*a*-4624*a* ; 4639*a* ; 4648*a*). Commissioners and petitions (4605*a*-4609*a*). Favours prohibition ; and compensation (4615*a*-4622*a*). Favours inspection of liquor (4648*a*).
- EDEN, GEORGE**, of Woodstock, Treasurer ..... Page **226**  
Formerly Town Clerk (3992*a*-3998*a*). Scott Act not enforced ; liquor openly sold (4000*a*-4004*a* ; 4013*a*-4018*a*). Presents statement of fines and license fees (4005*a*-4008*a*). Prefers license to Scott Act (4009*a*-4012*a*).
- FARTHING, Rev. J. C.**, of Woodstock, Clerk in Holy Orders ..... Page **240**  
Resident 3 years (4222*a*). Scott Act lamentable failure in Woodstock (4223*a*-4226*a*). License law observed (4227*a*). Attempt with Father Brady to persuade licenses to observe Saturday night and Sunday (4228*a*-4231*a* ; 4241*a*-4245*a*). Drinking, cause and effect (4232*a* ; 4246*a*-4248*a*). Anti prohibition ; favours compensation (4234*a*-4237*a* ; 4240*a*-4249*a* ; 4264*a*). Anti bar trade and treating (4238*a*-4240*a* ; 4261*a*).
- GREY, WILLIAM**, of Woodstock, Justice of the Peace ..... Page **263**  
Resident over 50 years, formerly Mayor, President of Loan Society (4541*a*-4544*a*). Scott Act through failure ; no prohibition ; no benefit (4545*a*-4552*a*). Less drunkenness now (4551*a*-4556*a*). Anti prohibition ; favours compensation (4557*a*-4559*a*).
- HAY, JAMES**, Mayor of Woodstock ..... Page **211**  
Furniture manufacturer (3732*a*-3734*a*). Scott Act ; tried and repealed ; impracticable ; no public sympathy ; violence on supporters ; open violation ; efforts to enforce ceased (3740*a*-3752*a* ; 3771*a*-3782*a* ; 3822*a*-3828*a* ; 3833*a*-3835*a*). License preferable (3753*a*-3754*a* ; 3844*a*) ; should restrict not promote trade (3783*a*-3785*a*) ; licensees observe law ; some licenses cancelled (3786*a*-3799*a*). Liquor and labour (3755*a*-3763*a*). Want and liquor (3764*a*). Less drunkenness than under Scott Act (3766*a*). Anti prohibition ; favours compensation (3767*a*-3770*a* ; 3804*a*-3811*a*). No illicit selling (3800*a*). Moral effect of liquor (3812*a*-3817*a*). Some present licensees Scott Act violators (3818*a*-3820*a*) ; temperance in rural districts (3829*a*-3832*a*). Drinking in Maine (3837*a*-3843*a* ; 3845*a*).

**KARN, DENIS W., of Woodstock, Piano manufacturer . . . . . Page 244**

Resident 21 years; formerly Mayor (4271a-4274a). Scott Act admirable at first; machinery insufficient for enforcement; prosecutions quashed; conflict between Provincial and Dominion Governments; liquor sold; people discouraged: allowed repeal; beneficial (4275a-4305a). Liquor, employers and employed (4306a-4313a; 4344a-4348a). Liquor and poverty (4314a-4315a). Favours prohibition; anti compensation (4316a-4330a). Taverns and property (4331a). Evil moral effect of liquor (4349a-4355a).

**MILLER, J. C., of Woodstock, Hotel Keeper . . . . . 269**

How he broke Scott Act; bought up witnesses; often fined, always first offence; perjury by witnesses; hotel without drink will not pay; people won't stay there (4650a-4687a). Holds a license (4688a-4690a). Rev. Mr. Farthing's bonds—"Rum, Rome and Ritualism"; favours national prohibition (4703a-4705a).

**MORRISON, JOHN, of Woodstock, Town Clerk . . . . . 218**

Resident 24 years (3847a-3858a). Scott Act failed; drunkenness increased; shebeens existed; public sentiment antagonistic; repealed; license better (3853a-3862a, 3880a-3883a). Favours prohibition, enforced by Dominion (3870a-3879a).

**McKAY, Rev. WILLIAM, D.D., of Woodstock, Presbyterian . . . . . Page 249**

Scott Act successes, benefits and deficiencies; statistical comparison; supporters threatened; drunkenness decreased (4359a-4385a; 4430a-4445a). Sunday selling exists (4385a-4394a); licensees take bond to keep Sunday (4456a). Vote to reduce licenses ignored (4457a-4461a).

**MAKAY, W. G., of Woodstock, License Inspector . . . . . Page 232**

Resident 41 years (4077a-4078a). Scott Act, endeavoured to enforce; statistics of convictions and fines; difficulties with witnesses and public sentiment; why repealed (4080a-4104a, 4109a-4119a, 4131a-4143a). License fairly observed (4106a). Favours prohibition and compensation (4113a, 4120a-4129a). Less drunkenness now (4130a). Illicit sellers convicted (4145a-4152a).

**ROSS, DAVID, of Embrø, Oxford County, License Commissioner . . . . . Page 227**

Commissioner during Scott Act; miller and farmer (4171a-4173a). Scott Act prohibition at first; then open sale; disregarded (4174a-4181a, 4201½a-4209a). Favours prohibition; anti compensation (4182a-4193a). Poverty and liquor (4194a). Applicants for licenses decreasing (4195a-4199a). Municipalities under Ontario Prohibitory Act (4200a-4201a, 4216a-4218a). License Board ignored vote to reduce licenses (4210a-4214a). Evil effects of traffic (4215a; 4219a-4221a).

**ROSS, Rev. JAMES S., of Woodstock, Methodist . . . . . Page 220**

Resident 3 years; at Tilsonburg during Scott Act (3886a-3889a). Favours prohibition; anti compensation (3889a; 3934a-3949a). Scott Act reduced drinking (3890a-3892a); efforts at enforcement; difficulties; better than license; why repealed (3891a-3925a; 3930a-3933a; 3977a-3989a). Misery, want and drink (3926a-3929a; 3979a). Compares returns for 1884 and 1887 (3950a-3957a). Bonds by licensees to keep Sunday (3957a-3958a; 3965a-3971a). Vote to reduce number of licenses not acted on (3958a-3964a). Licensees law breakers (3972a-3975a; 3990a-3991a).

**WILL, HORACE R., of Woodstock, Chief of Police.....Page 260**

Resident 20 years (4496a). Presents statistics of arrests (4497a-4507a ; 4532a-4534a). Scott Act increased drinking on railways and streets (4508a-4511a). License law well observed (4517a-4519a ; 4535a). Difficulties with Indians (4520a-4523a). Prefers enforced license to non enforced Scott Act (4526a). Favours prohibition with compensation (4527a-4529a).

**WINDSOR, OCTOBER 11th and 12th, 1893.****BARTLETT, ALEXANDER, of Windsor, Police Magistrate.....Page 275**

Magistrate since 1878, previously Town Clerk (4272a). Much drunkenness (4728a). Too many licenses (4734a ; 4767a-4768a). Refugees from justice (4726a-4728a ; 4735a-4737a). Drink and crime (4738a-4739a). Anti prohibition (4742a ; 4783a-4784a). License law fairly observed, difficulties and breaches (4743a-4753a ; 4798a ; 4849a ; 4861a-4864a ; 4883a-4884a). Drinkers graduate downwards (4850a-4856a ; 4860a). Favours compensation (4754a-4755a). Prohibition impracticable (4756a-4759a). Favours high license and few houses (4760a-4766a ; 4769a-4776a). Wage-earners and drink (4881a-4903a). Drunkenness decreasing (4777a-4779a). Anti treating and bars (4780a-4782a ; 4871a). Temperance people inactive ; illicit selling at Harrow (4792a-4797a). "Gold cure" (4851a-4855a). Juvenile crime (4865a-4870a ; 4885a-4890a).

**FLEMING, OSCAR E., of Windsor, Mayor.....Page 292**

Barrister and solicitor (5031a-5036a). Floating population, good order and little drunkenness (5037a-5044a). Dunkin Act inoperative in Colchester (5047a-5049a). Poverty in Windsor (5050a-5055a). Anti prohibition, favours compensation (5056a-5067a ; 5103a). Licensees keep law (5074a-5086a ; 5091a). Law unsuccessful for restriction (5087a-5090a ; 5104a-5106a). Favours fewer licenses (5092a-5102a ; 5128a-5132a). United States trade (5107a-5113a). Railway rules and liquor (5114a-5127a). Trade, labour and liquor (5133a-5146a).

**GILLET, JAMES C., of Windsor, City Treasurer.....Page 308**

Presents statistics of license fees (5315a-5319a). Favours prohibition, anti compensation (5320a-5329a).

**MONTREUIL, LUC, of Walkerville, Grape-grower.....Page 329**

Grape-growing 15 years ; vintner 10 years ; industry increasing (5628a-5645a). Prohibition would mean total loss (5646a-5647a). Small sales without license (5646a-5651a).

**McCUAIG, WILLIAM C., of Windsor, Secretary of Y. M. C. A.....Page 331**

Resident 18 months (5655a-5657a). Drinking rife in Windsor ; owing to vicinity of Detroit (5660a-5667a ; 5683a-5684a). Too many licenses (5668a-5671a). Evils of liquor traffic (5672a ; 5679a-5682a). Saturday and Sunday selling (5673a-5678a). Association inactive (5685a-5687a).

**PACAUD, GASPARD, of Windsor, License Inspector.....Page 286**

Resident 12 years (4904a-4909a). Presents license statistics and information (4910a-4935a). Licensees do not keep law (4936a-4938a ; 4961a-4991a). Efforts to enforce law sends trade to Detroit (4939a-4942a ; 4957a). Favours

**PACAUD, GASPARD—Continued.**

high license and fewer houses (4943a-4944a ; 5010a-5018a). Law kept in rural districts (4958a). Anti prohibition, favours compensation (4959a-4960a ; 5007a-5009a). Convictions under law (4996a-5006a). Scott Act impracticable (5027a-5030a).

**ROBBINS, WILLIAM, of Walkerville, Book-keeper.....Page 319**

Secretary of Walkerville Distillery Company (5486a-5490a). Export business of Company (5491a-5496a). Import grain and fuel (5497a-5502a). Walkerville whisky highly recommended medicinally (5503a-5505a). Adulteration extensive ; favours inspection (5507a). Trade must exist ; regulation better than attempted suppression (5508a-5513a ; 5517a-5522a). Prohibition stagnates business (5514a ; 5525a-5527a). Approves restrictive clauses of license law (5523a-5524½a). Liquor obtainable in Maine and Iowa (5528a-5529a).

**SAUNDERS, EUDO, of Windsor, Barrister.....Page 302**

Crown prosecutor at late assizes, the record (5226a-5227a) ; police magistrate in County of Grenville under Scott Act (5227a) ; Scott Act successes and failures ; his resignation ; why repealed (5228a-5241a ; 5279a-5281a ; 5287a-5296a). Permit system in North-west abused ; failure, police efficient (5242a-5264a) ; permit system and Scott Act prove no discovered device will cure liquor evil (5265a-5268a ; 5282a-5283a). Public not ripe for prohibition (5260a-5271a) ; license system best yet, observation limited (5272a-5278a) ; anti prohibition favours compensation (5282a-5283a). Drinking an evil (5297a-5311a).

**SMITH, THOMAS, of Walkerville, Mayor.....Page 325**

Baker ; resident twelve years ; acts as police magistrate (5541a-5578a). Municipal statistics (5547a-5560a ; 5579a-5588a) ; anti prohibition. Favours compensation (5575a-5578a). License observance doubtful (5589a-5600a) ; favours high license and few houses (5601a-5605a). Anti saloon (5606a-5609a) ; anti-treating (5610a-5613a). Drinking in Essex Centre under prohibition (5614a-5616a). Drunkards scarce (5617a-5627a).

**WALKER, FRANKLIN H., of Walkerville, Distiller.....Page 309**

Lives in Detroit ; large employer of labour ; uses entirely Canadian rye, oats and barley (5330a-5341a). Effects of Scott Act, and permit on trade (5344a-5352a) prohibition would mean total loss (5358a-5360a) ; would expect compensation (5420a-5427a) ; Walkerville factories controlled by distillery (5361a-5366a) ; workmen and their homes (5369a-5375a ; 5459a) ; labour and liquor (5376a-5397a ; 5460a-5463a). Too many licenses in Detroit (5404a-5407a). Favours high license (5408a-5410a). Drinking at Portland, Maine (5415a-541a). Tariff changes have ruined trade (5428a-5437a). Smuggling in Quebec (5438a-5442a) Government chief partners in trade, handles all stock (5443a-5450a). Cattle and hog feeding (5451a-5455a). Willing to sell out (5464a-5470a). Trouble with imitators (5473a-5476a). Little adulteration (5477a-5485a).

**WILLS, ELIAS, of Windsor, Chief of Police.....Page 298**

Resident ten years (5147a-5150a). Police statistics and information ; crime and liquor (5155a-5163a ; 5185a-5194a ; 5211a-5222a ; 5225a ; 5652a-5654a). Licenses and law ; licenses loosely granted (5164a-5184a). Favours licenses for light wines and beer (5195a-5197a). Favours prohibition ; solitary drinks, and no treating (5198a-5200a ; 5210a ; 5218a-5221a). Wage-earners and liquor (5211a-5213a).

## LONDON, October 13 and 14, 1894.

**ALEXANDER, THOMAS, of London, Inland Revenue Officer.....Page 359**

Resident ten years (6095a). Presents excise statistics for Elgin, Middlesex and Lambton, showing decrease on repeal of Scott Act (6098a-6108a). Presents statistics of liquor from bond (6109a-6111a). Scott Act violated; its action (6114a; 6119a-6124a; 6126a; 6133a). No illicit distilling (6115a). Temperance sentiment growing (6116a-6118a). Prohibition impracticable (6132a). Favours high license; no saloons; and heavier penalties on licensees (6134a-6140a).

**ARNOTT, HENRY, M.D., of London.....Page 390**

Resident thirteen years (6604a-6605a). Prohibition successful at Pasadena, Cal. (6606a-6627a; 6662a-6665a). Scott Act thoroughly and easily enforced in London township; beneficial; where failed; why repealed (6628a-6638a; 6665a-6687a; 6703a). Favours prohibition; anti license; anti compensation (6639a-6644a; 6660a-6661a; 6689 $\frac{1}{2}$ a-6699a; 6701a). Distress, sickness and drink (6645a-6651a). License law fairly observed; favours high license, early closing, fewer licenses, and only saloons (6653a-6659a). Medicinal value of liquor small (6700a).

**BALDWIN, RIGHT REV. MAURICE S., Bishop of Huron.....Page 401**

Resident 10 years; formerly Dean of Montreal (6749a-6752a). Poverty, distress and liquor (6753a-6756a). Reduction in licenses beneficial (6758a-6759a). Anti saloons (6760a). Scott Act reputed not beneficial (6761a-6764a). Favours real prohibition; with compensation (6765a-6770a). Juvenile crime (6771a-6773a). Special treatment for habitual drunkards; more temperance less crime (6774a-6779a).

**BELL, WILLIAM, of London, Relief Officer.....Page 364**

Resident 27 years (6200a-6204a). Poverty due to intemperance (6205a-6208a). Few home drinking poor (6214a-6216a). Temperance growing (6218a).

**BENNETT, ARCHIE, of London, Journalist.....Page 403**

Scott Act in St. Thomas, Petrolia, Woodstock and Sarnia not carried out—open sale (6781a-6788a; 6800a). License law well carried out (6789a). Favours inspection of liquor (6794a-6795a). Effects of Scott Act (6796a-6799a). Prohibition impracticable (6811a-6813a).

**BOWMAN, WILLIAM, of London, Manufacturer.....Page 367**

Resident 37 years; formerly alderman (6265a-6270a). Increase in temperance sentiment (6271a-6272a). Prohibition successful on Lord Derby's English estate (6273a-6275a); Scott Act good in Middlesex—bad in Elgin; not enforced; why repealed (6277a-6295a). Employs only sober men (6297a-6300a). Favours prohibition; anti-compensation (6302a-6315a; 6327a; 6336a; 6346a-6351a). Favours early closing (6319a-6321a). License law enforced in London (6322a-6326a); restrictive features only good (6337a-6341a). Anti saloons (6339a-6341a). Longer terms for chronic drunkards (6342a-6345a). Drinking in Maine (6352a-6355a). Railway companies and liquor (6356a-6364a).

**BROWN, VESEY, M.D., of London.....Page 399.**

Resident 37 years; formerly Army Surgeon (6712a-6714a). Growth of temperance (6715a-6718a). Scott Act beneficial; why repealed (6719a-6725a). License works well (6726a-6729a). Chronic drunkards want medical treatment (6727a-6728a). Distress, sickness and drinking (6730a-6731a; 6735a-6846a). Anti prohibition; favours compensation (6732a-6734a). Favours inspection, reduction of licenses and no saloons (6736a-6738a). Military canteens (6739a-6741a).

**CARUTHERS, ROBERT A., of London, Commercial Traveller.....Page 374**

Resident since 1866, represents Carling's brewery, formerly hotel-keeper (6368a-6374a). Satisfactory hotel-keeper 17 years, politics drove him out (6375a-6382a). Scott Act did not prohibit (6383a-6392a; 6432a-6437a). License law well observed (6393a-6394a). Presents statistics of trade in London (6399a-6419a). Hotel dependent on bars (6420a-6429a). Anti saloon (6430a).

**DILLON, JOHN M., of London, Wholesale Grocer.....Page 385**

Resident 25 years; license under Scott Act (6526a-6528a). Scott Act in Kent and Lambton not observed; sale of spirits increased; made drinkers (6529a-6541a; 6556a-6560a). Favours inspection of liquor (6542a-6546a). Favours high license (6547a). Favours prohibition (6548a-6551a; 6555a-6568a). Hotel depend on bar-trade (6552a-6554a). License well observed (6569a-6572a). Anti saloons (6573a-6575a). Favours treatment for chronic drinkers (6577a-6581a). Temperance growing (6582a-6584a).

**ESSERY, EMMANUEL T., of London, Mayor.....Page 334**

Too many licenses (5707a). Prohibitionist straight; no compensation (5707a-5723a; 5745a-5746a; 5784a-5792a; 5794a). Practicable (5724a-5725a). Proved by Scott Act in Middlesex (5728a-5741a; 5772a-5780a; 5793a-5798a). Poverty and drink (5742a-5743a). License law improved; not carried out (5747a-5749a). Violators convicted; but get licenses through political and religious influences (5750a-5753a). Repeated convictions should disqualify (5755a-5756a). Reduction of licenses and hours beneficial; favours hotels (5757a-5762a; 5770a-5771a). Political influence (5763a). Anti saloons and corner groceries (5765a-5768a). Illicit selling (5769a). Temperance growing (5781a-5783a).

**GARVEY, JOHN, of London, Liquor Merchant.....Page 362**

Resident seventeen years (6141a-6150a). Did large trade under Scott Act; with whom (6151a-6172a). License law well observed (6173a-6183a). Hotels depend on bar trade (6184a-6189a). Scott Act and Dunkin Act utter failures (6190a-6198a). Growth of native wine trade (6194a-6198a).

**GUNDY, REV. J. R., of London, Methodist Minister.....Page 405**

Resident one year; formerly in Sarnia (6813<sup>1</sup>/<sub>2</sub>a-6814a). Dunkin and Scott Act experiences (6816a-6817a); beneficial (6854a-6858a). Poverty and drink (6818a). Favours prohibition; anti compensation (6819a-6824a; 6831a-6851a; 6853a). License well observed; favours early closing (6825a-6830a). Favours treatment of chronic drinkers (6852a). Farmers favour prohibition; who do not (6859a-6861a). Scott Act, why repealed (6862a-6863a); effect on liquor trade (6864a-6888a).

**HENDERSON, ROBERT, of London, License Inspector.....Page 342**

Inspector since 1876 (5799a-5804a). License statistics (5805a-5816a; 5852a-5853a; 5877a-5881a). Restaurants keep law (5817a-5823a). Prohibitory clauses observed; some infractions; difficulties of enforcement (5824a-5839a; 5841a-5851a).



•HENDERSON, ROBERT—*Continued.*

Recalled.....Page **388**

Saloons better than hotels (6585a-6588a; 6594a-6600a). Recommends imprisonment of licensee, with loss of license for second conviction (5840a). Favours inspection of liquor (5854a-5856a). Scott Act enforced in Middlesex, much perjury (5861a-5862a). Favours prohibition and compensation (5863a-5876a).

INNES, VERY REV. G. M., Dean of Huron,.....Page **383**

Resident thirty years (6501a-6504a). Steady temperance growth (6505a-6508a). Scott Act no advantage, not enforced (6509a-6511a). Anti prohibition, inoperative in North-west; favours compensation (6512a-6516a). Reduction of licenses beneficial; favours high license, inspection of liquor; and early closing (6517a-6520a). Favours institutions for chronic drinkers (6521a-6522a). Juvenile crime (6523a-6525a).

KINGSTON, CHARLES A., of London, City Clerk.....Page **353**

Resident twelve years (5984a). Civic charity (5987a-5991a). Scott Act well observed, practicable (5993a-5994a; 6003a-6005a; 6018a-6020a). Favours prohibition, depends on public sentiment (5995a-6000a; 6006a-6010a). Favours compensation (6001a). Wants liquor free from politics (6021a-6022a). Poverty and liquor (6002a). Anti saloons (6013a-6015a). Drunkenness decreasing (6016a-6017a).

LABATT, JOHN, of London, Brewer.....Page **365**

Resident since 1847 (6227a-6232a). Prohibition would be entire loss (6234a-6236a); Scott Act, made more money than ever under (6226a-6247a). Liquor always obtainable, act a humbug (6248a-6255a). Difficulties in collecting (6257a-6258a). Upset trade (6259a-6262a).

MORGAN, JOHN, of London, Acting Police Court Clerk.....Page **347**

Presents police statistics (5885a-5893a); difficulty of illicit selling (5896a-5900a); anti bars (5901a). Crime, poverty, and liquor (5902a-5912a). Favours early closing (5913a-5916a); favours prohibition (5918a-5920a); no billiards on licensed premises (5917a). More intemperance in England than in Canada (5922). Temperance growing (5924a); anti saloons (5926a-5932a).

PARKE, E. JONES, of London, Police Magistrate.....Page **355**

Magistrate over 10 years (6024a-6026a). Court business decreasing (6029a); arrests, convictions, crime and liquor (6030a-6047a; 6081a-6083a). License cases and perjury (6048a-6057a). Scott Act beneficial (6058a-6062a). Favours prohibition (6063a-6068a; 6077a-6080a). Chronic drunkards (6069a-6074a); anti saloons and billiards on licensed premises (6085a-6088a).

REID, ROBERT, of London, Collector of Customs.....Page **350**

Collector 16 years (5933a-5937a). Presents customs statistics (5938a-5944a); favours prohibition (5946a-5950a; 5966a-5982a). Fears evasion (5946a; 5965a). Temperance sentiment growing (5951a-5953a). Scott Act beneficial, why repealed (5954a-5963a).

RIGSBY, REV. WALTER, of London, Methodist Minister.....Page **378**

Resident one year, where previously (6438a-6441a). Prohibitionist (6443a; 6481a; 6496a; 6707a-6711a). Drink evil; results (6444a-6445a; 6455a). Methodists rules and abstinence (6446a-6454a; 6703a-6704a). Chronic drunkards (6456a-6460a). License law observed (6462a). Scott Act successful in Durham, and Elgin, why repealed (6463a-6474a; 6704a-6705a). Dunkin Act at Pelham unsatisfactory (6475a-6477a). Wine grape growing (6479a-6480a; 6705a-6707a). Juvenile crime (6497a-6500a).

**THORNLEY, MRS. MAY, of London . . . . . Page 415**

Resident since 1890, President W.C.T.U. (6939a-6941a). Aims at total prohibition work of union (6942a-6950a ; 6970a-6973a). Prohibition at Ocean Grove, N.J. (6951a-6960a). Temperance increasing (6963a-6964a). Wants total prohibition (6965a-6969a ; 6983a). Treatment for chronic drunkards (6974a-6982a).

**WILLIAMS, D. H., of London, Ex-License Inspector . . . . . Page 412**

Resident 15 years. Inspector 5 years, under Scott Act (6889a-6892a). Scott Act successful in West Middlesex, caught in cyclone of repeal, reasons for cyclone ; politics brought to bear (6893a-6910a ; 6921a-6929a ; 6938a). Favours prohibition ; anti compensation (6912a-6914a ; 6916a-6918a). License law, prohibitory clauses hard to enforce, good in London (6915a-6919a). Scott Act easy to enforce (6920a ; 6937a). Was too strict as inspector, ordered to resign (6903a-6933a).

**BERLIN, 10th October, 1893.**

**ANTHES, J. S., of Berlin, Manufacturer . . . . . Page 430**

Furniture manufacturer, resident 38 years (7149a). President of Board of Trade (7161a). Drinkers cause loss (7151a-7156a). Favours compensation (7159a) ; License law well observed (7160a). Favours fewer licenses (7165a-7167a). anti saloons and billiards (7168a-7170a).

**BOWLBY, W. H., of Waterloo, County Attorney . . . . . Page 438**

County Attorney and Clerk of the Peace for Waterloo for 26 years ; his duties (7295a-7299a). Crime and liquor ; presents statistics showing small amount of drunkenness (7300a-7305a). Would shut up inebriates rather than shut off liquor (7306a-7307a). Anti prohibition ; favours compensation (7312a-7315a). Favours institutions for confirmed inebriates (7316a-7318a). Favours high license (7319a-7320a). Anti billiards in saloons (7321a). Temperance sentiment advancing (7323a-7324a).

**BOWMAN, A. L., of Berlin, Collector of Customs . . . . . Page 450**

Presents statistics of importations (7460a-7463a). License well observed (7464a-7465a).

**BOWMAN, J. D., of Berlin, Town Clerk . . . . . Page 436**

Presents statistics of licenses (7264a ; 7292a-7294a). Favours prohibition when conditions are ripe ; anti compensation (7268a-7272a ; 7279a-7280a). Temperance prevalent (7275a-7276a). Poverty and drink (7277a). Favours a plebiscite (7281a-7287a). Anti re-submission of Scott Act (7288a-7290a).

**BREWSTER, A. J., of Heseler, Town Clerk . . . . . Page 425**

Resident 35 years (7046a). Favours enforced prohibition (7059a). Scott Act not enforced (7060a-7062a . 7068a). Prefers license (7063a). License law well enforced (7070a-7073a).

**COOK, JONATHAN, of Berlin, Governor of the Jail . . . . . Page 462**

Presents and explains jail statistics (7649a-7661a). License law spasmodically enforced at Hamburg (7663a-7664a). Temperance increasing ; anti legislative prohibition ; anti compensation to new men (7667a-7669a). Liquor and crime (7670a-7674a).

**DEVITT, BENJAMIN, of Waterloo, License Inspector.....Page 432**

Inspector 3 years (7177a). Law occasionally broken, but things improving; less whisky drank; temperance sentiment growing through the influence of religious bodies and temperance societies (7178a-7198a). Anti treating system (7199a-7200a). Too many licenses (7201a-7228a). Convictions under license law (7229a-7233a). Favours prohibition, with Government production for mechanical and medical, not sacramental purposes; favours partial compensation (7234a-7240a). Adulterated liquor sold: favours inspection (7241a-7246a). Favours establishing hospitals for habitual inebriates (7247a-7252a). Liquor and general trade (7253a-7256a). Liquor and poverty (7257a-7258a). Prohibited drinkers obtain liquor (7259a-7265a).

**GEDDES, CHARLES R., of Berlin, Nurseryman.....Page 463**

Resident 32 years (7675a-7676a). License law not strictly observed (7675a-7683½a). Favours prohibition, except for mechanical and medicinal purposes, not for sacramental; anti compensation (7685a-7693a). Salvation Army annoyed by intoxicated persons. Rescue and relief work (7697a-7715a).

**GOWDY, REV. HENRY, of Berlin, Mennonite Minister.....Page 460**

Mennonite Church prohibits liquor, save as medicine (7620a-7621a). Liquor and distress (7622a). More drinking in Berlin than York (7623a-7627a; 7647a). License law broken; Sunday drinking (7629a-7633a). Favours prohibition; anti compensation (7634a-7641a).

**HIBNER, D., of Berlin, Reeve.....Page 451**

Resident 18 years; furniture manufacturer (7466a-7471a). Liquor and labour (7472a-7475a). Temperance sentiment growing (7476a-7477a). License law fairly carried out (7482a). Scott Act not observed in Bruce (7482a-7485a). Favours prohibition, provided compensation is included (7486a-7489a).

**ITIER, P., of Berlin.....Page 426**

Formerly manager House of Industry (7074a). Liquor caused most inmates (7078a-7083a; 7085a-7092a). Liquor and labour (7095a-7098a). Particulars House of Industry (7103a-7117a).

**KLOEPFER, REV. WILLIAM, of Berlin.....Page 440**

Resident 14 years (7325a). Liquor, suffering and poverty (7326a-7327a). Not much confidence in prohibition; favours compensation (7328a-7337a). License fairly observed; some transgressions (7333a). Religious and temperance sentiment growing (7337a-7339a).

**KRANTZ, HUGO, of Berlin, Insurance Manager.....Page 449**

Ex-member of Parliament (7449a). License fairly observed (7450a). Community temperate (7452a-7456a). Anti prohibition, favours compensation to manufacturers on Government dissolving old partnership (7457a-7459a).

**LACKNER, H. C., M.D., Mayor of Berlin.....Page 420**

Resident 17 years, third term as Mayor, manufacturing town; sober and orderly (6984a-6996a; 7025a-7031a). Number of hotels (6997a-7000a; 7022a). License law observed (7002a-7004a). Scott Act in Oxford and Wellington, disgraceful proceedings (7007a-7008a). Little disease caused by drinking (7011a-7013a). Favours compensation (7017a). Temperance increasing (7018a). Favours rigid enforcement of the law (7019a). Anti billiards in licensed houses, anti saloons (7023a-7024a). Tax on taverns (7036a-7037a; 7042a).

- LANG, GEORGE, of Berlin, Tanner.....Page 447**  
 Resident 40 years, President Board of Trade, ex-councilman (7421a-7423a). People temperate, becoming more so (7424a-7427a; 7433a-7447a). License satisfactory, enforced (7428a-7429a). Anti prohibition indefensible, impracticable; favours compensation (7430a-7432a). Scott Act in Bruce (7434a-7436a). Liquor and labour (7424a-7426a; 7437a-7446a).
- MOTZ, JOHN, of Berlin, Journalist.....Page 459**  
 Resident 43 years, publisher of *Berlin Journal* (7603a-7604a). Community sober, drunkenness decreased, beer and unfortified native wine used (7605a-7608a). License law strictly carried out (7609a). Scott Act not observed in Simcoe (7610a-7611a). Anti prohibition, would increase drunkenness, favours compensation, anti treating (7613a-7615a). Would encourage use of light wines and beer (7615a-7617a).
- MOYER, P. E. W., of Berlin, Editor *Daily News*.....Page 441**  
 Temperance prevalent (7343a-7344a). Favours prohibition and compensation (7345a-7348a; 7355a-7361a). Liquor and trade (7351a-7354a). Favours fewer houses and high licence (7362a-7363a; 7368a-7370½a). Liquor, morals and crime (7364a-7367a).
- MYLIUS, RODOLPH, of Berlin, M.D.....Page 454**  
 Resident 33 years (7517a). Liquor and disease, German drinking habits (7518a-7532a). Anti prohibition, the movement a farce, favours compensation, man only differs from animals by using stimulants, temperance congress at La Hague (7538a-7543a).
- POWELL, J. B., of Guelph, Collector of Inland Revenue.....Page 428**  
 Collector since 1887 (7118a-7119a). Presents excise statistics for Wellington and Waterloo, and explains (7120a-7125a). Scott Act scant observance in Guelph and Wellington, open sale, lots of drunkenness (7126a-7135a; 7139a-7140a; 7147a-7148a). Repealed; no good (7141a-7143a). More drunkenness than ever before or since (7137a). Less under license (7138a).
- RICHARDSON, REV. GEORGE, of Berlin, Methodist Minister.....Page 443**  
 Resident 2 years, formerly in Goderich (7371a-7372a). Scott Act successful in Halton, jail only empty house in Milton, why repealed (7373a-7381a; 7405a-7411a). Law could have been enforced (7412a-7420a). Liquor and poverty (7382a). Favours prohibition, anti compensation (7383a-7387a). Would prohibit importation *in toto*, and home manufacture (7393a-7404a).
- ROOS, MICHAEL, of Berlin, Wholesale Grocer.....Page 455**  
 Resident 4 years (7544a). Community sober generally (7547a). Member of Randall and Roos, wholesale groceries, wines, liquors, etc., (7549a-7552a). Business done in stronger liquors in Scott Act counties under the Act, whisky mostly, little beer, or wine. Modes of evading the operation of the Act. Their traveller round all the time. Difficulties in collecting. Some people claimed sales illegal, and never paid. Very little seized. Liquor was adulterated. Less strong liquor sold now (7553a-7578a; 7588a-7592a; 7597a). Use of native wine increasing (7579a-7581a). Ministers' sons go wrong, hotels not the only evil (7582a-7587a). Canadian wines contain spirits (7694a-7596a).

- RUMPER, GEORGE**, of Berlin, manufacturer..... Page **452**  
 Resident 18 years (7490a). Little liquor used by wage earners (7495a-7498a ; 7501a). License law works well (7500a). Anti prohibition, favours compensation (7502a-7503a). Sobriety at musical festivals (7504a-7505a).
- SNYDER, FREDERICK**, of Berlin, tinsmith..... Page **453**  
 Resident 40 years (7507a). Little drinking (7510a). Anti prohibition, favours compensation (7512a-7513a). License law works well (7514a-7516a).
- WINTERHALT, H.**, of Berlin, Constable ..... Page **465**  
 Resident 6 years, formerly of Hespeler, town sober, order good (7716a-7721a ; 7725a-7729a). Salvation Army disturbances (7722a-7724a). Little poverty (7730a-7732a). License law enforced (7739a-7741a. No record of arrests for drunkenness (7735a-7738a ; 7742a-7744a).

### GUELPH, 18th October, 1894.

- CHADWICK, A. C.**, of Guelph, County Judge for Wellington..... Page **480**  
 Resident since 1871 (7939a). Scott Act hardly enforced in county, indifferently in Guelph, people anxious to get rid of law, no body cared to prosecute, lacked public sympathy, an experiment, why repealed (7941a-7951a ; 7956a-7958a ; 7974a). License law observed (7952a). Community sober (7955a-7965a). Evil effect of violated law (7959a-7960a). Anti prohibition, favours compensation (7961a-7962a). Liquor and crime (7963a). Scott Act not an educator, not wanted back (7964a-7969a). Anti saloon licenses, save in cities (7971a).
- COWAN, WALTER S.**, of Guelph, License inspector..... Page **494**  
 Resident 18 years, License Inspector for south district of Wellington since 1884 (8151a-8156a). Supported and endeavoured to enforce Scott Act (8157a-8160a). Scott Act, difficulties of enforcement, many opponents, witnesses difficult to procure and unreliable, same as under license, old licensees, chief offenders, enforcement easier toward the end of period, enforcement spasmodic ; repealed, not satisfactory, temperance people did not work (8161a-8188a ; 8208a-8216a ; 8228a-8232a). License fairly observed (8189a-8192a). Prohibition must have assistance from temperance people to be enforced (8193a). Would forfeit licenses on second conviction (8105a). Premises should be disqualified on third offence (8196a-8199a). Appeals against convictions (8200a). Scott Act an educator, lessened drinking (8201a-8205a ; 8217a-8219a). Interdicted drinkers, some benefitted, but obtain liquor (8206a-8207a). Temperance sentiment increasing, societies and churches more active (8220a-8224a). Presents statistics of prosecutions under Scott Act, and license fees (8224a-8227a).
- CUNNINGHAM, REV. ANDREW**, of Guelph, Methodist Minister..... Page **500**  
 Resident two years (8242a) ; concurs in deliverance of Montreal Conference (8243a). Liquor, trouble and distress (8244a-8245a). Dunkin Act in Prince Edward County materially beneficial, but violated ; Judge not in sympathy ; people discouraged ; Act repealed (8246a-8255a). Scott Act defeated in Prince Edward ; constitutional, not statutory prohibition wanted (8256a-8264a). Drunkenness under license ; interdicted persons get liquor (8267a-8268a). anti license ; traffic iniquitous ; *ergo* licensing wrong and immoral (8269a-8271a ; 8287a-8313a). Favours prohibition, except liquor for mechanical, medicinal, and sacramental use under Government control, and certain restrictions : anti compensation. The Dominion should lead in prohibition. Would not interfere with home made wine or cider (8272a-8286a).

**CUNNINGHAM, ROBERT, of Guelph, Fire Insurance Agent.....Page 514**

Resident twenty years (8492a). License law well enforced (8493a). More drunkenness under Scott Act (8494a-8500a); anti prohibition; favours compensation; prohibition impracticable; there would be illicit distillation, and distribution. Scott Act proves it (8501a-8508a).

**DIXON, VENERABLE ALEXANDER, of Guelph.....Page 488**

Resident seventeen years (8076a); Scott Act increased drunkenness; generated spy system (8077a-8080a). Prefers license (8081a). Liquor, distress and sorrow (8082a-8083a); temperance sentiment growing; fruit of moral and religious forces (8084a-8085a). Anti-prohibition; favours compensation (8086a-8090a). Alcoholism, disease requiring treatment (8091a-8092a); anti saloons (8093a-8094a); Scott Act demoralizing; repealed because useless (8095a-8103a).

**HARRIS, JOHN, of Guelph, Baker.....Page 510**

Resident since 1846, formerly mayor (8417a-8418a); Scott Act produced little change; considerable drunkenness (8420a-8421a; 8433a-8438a); license law enforced fairly well; ought to be better (8422a-8425a). Favours prohibition, with compensation (8426a-8432a).

**HARTLEY, REV. WILLIAM, of Guelph, Baptist Minister.....Page 512**

Resident three years, formerly of Philadelphia, Penn. (8439a-8440a); high license in Philadelphia reduced licenses, but more liquor sold; drunkenness increased; and Sunday drinking; not advantageous in any way (8441a-8456a; 8478a); partial local option in Wisconsin and Michigan, worked well; saloons were closed; no sales for two years; required continual fight to maintain; so repealed (8457a-8479a). Favours prohibition; anti compensation (8480a-8482a); liquor, distress and suffering (8483a); Baptist Church requires abstinence; persons engaged in the traffic refused membership, each congregation independent (8484a-8488a). License law violated, producing distress (8489a-8491a).

**JAMIESON, JOSEPH, of Guelph, County Judge.....Page 483**

Scott Act in Lanark not well enforced; difficulties of enforcement; officers not in sympathy with Act; beneficial; lessened consumption, but law weak; amended since; some amendments asked not granted (7992a-8012a). Temperance people did not want Scott Act, but total prohibition; mere experiment; no fair test (8013a; 8037a-8047a; 8061a-8063a); why repealed (8014a-8021a). License wrong (8022a); creates partnership (8067a-8070a). Favours prohibition and compensation to secure prohibition; fiscal difficulties merely temporary; degree of prohibition wanted (8023a-8029a; 8050a-8060a). Liquor and crime (8030a). Liquor, distress and want (8030a). Scott Act dependent on public sympathy (8048a-8049a; 8064a-8066a); legislative difficulties of Scott Act (8071a-8075a).

**KELLY, JONATHAN, of Guelph.....Page 515**

Resident forty-one years, ex-chief of police (8509a-8510a). Early license law experiences (8511a-8512a). Provincial license law (Crooks Act) better (8513a-8514a). Favours prohibition (8517a-8519a). Scott Act beneficial, prefers license, complaints under both, more under Scott Act (8521a-8528a). Liquor and crime (8529a-8530a).

**POWELL, J. B., of Berlin, Inspector of Inland Revenue.....Page 474**

Presents statistics.

Recalled.....Page 500

Explains statistics handed in previously (8239a-8241a).

**RANDALL, F. W., of Guelph, Chief of Police..... Page 474**

Presents statistics of arrests for seven years, showing increase under Scott Act, eating houses open all night then, no power to close them, now places closed up, people go to hotels. Suspected illicit sale, witnesses denied it, considerable perjury under Scott Act, Act was failure, lacked sympathy, became more lax until dead letter (7864a-7888a; 7924a-7938a); failed outside of Guelph, temperance people did not work (7889a-7892a). Why repealed (7893a-7894a). License law fairly observed, little drunkenness, rules for arrests (7895a-7900a). Liquor and crime (7901a-7906a). Favours institutions for chronic drunkards (7907a-7911a). Favours Dominion prohibition, with strong backing of public sentiment, and compensation (7915a-7919a).

Recalled.....Page 498

Explains use of tramps as liquor detectives under Scott Act, presents statistics of arrests under Scott Act (8233a-8238a).

**RAYMOND, CHARLES, of Guelph, Manufacturer.....Page 507**

Resident thirty-one years (8361a-8363a). Liquor injurious to business (8369a-8371a). License law fairly enforced (8373a). Scott Act enforced beneficial, difficult to enforce, more drinking after repeal, preferable to license (8374a-8383a; 8401a-8406a; 8414a-8416a). Favours prohibition, with government manufacture for mechanical and medicinal purposes; fiscal difficulties could be met by taxation, direct if necessary; would not interfere with home made liquors (8384a-8400a; 8409a-8413a).

**REYNOLDS, WILLIAM, Treasurer of County of Wellington..... Page 482**

Treasurer during Scott Act; county received fines, presents statement; county paid cost of enforcement including police magistrate's salary, county receives nothing from licenses (7975a-7983a).

**SAUNDERS, THOMAS, of Guelph, Police Magistrate.....Page 490**

Magistrate twenty-six years, including Scott regime (8104a-8108a). License law fairly enforced (8109a-8110a). Community sober, tone improving (8111a-8113a). Scott Act made no improvement (8114a-8115a). Prosecutions under Scott Act numerous; convictions few, evidence worthless; convicted where possible; officers diligent; law not success; utterly disregarded; considerable selling and perjury; public sentiment adverse; effect demoralizing; people prefer license and observe it; efforts made to remove witness from magistracy (8116a-8132a; 8145a; 8147a-8148a). Anti prohibition; favours compensation (8133a-8134a; 8150a). Confirmed alcoholism disease, requires treatment (8135a-8137a). Anti saloons (8138a). Licenses loosely granted (8139a-8141a). Anti billiard licenses (8142a-8143a). Some infractions of license law not prosecuted (8146a). Liquor and crime (8149a).

**SLEEMAN, GEORGE, of Guelph, Brewer.....Page 501**

Resident since 1847 (8313½a). Scott Act and business, presents statistics showing steady increase in output (8316a-8321a; 8327a-8329a; 8342a-8347a). Prohibition means loss, would expect compensation, business legalized old established, and paying heavy duties to government (8322a-8326a; 8348a-8349a). Opposed Scott Act as demoralizing, it increased drunkenness, especially amongst minors (8330a-8336a; 8350a-8355a; 8359a-8360a). Presents statistics of barley used, purchased in surrounding country (8340a-8341a).

**SMITH, W. G., Mayor of Guelph .....Page 467**

Community industrial, character improving (7747a-7754a). License fairly enforced, strict enforcement, and conviction difficult (7758a-7759a ; 7745a). Drunkenness decreasing, result of moral sentiment (7761a-7763a ; 7855a-7858a). Scott Act reduced drunkenness ; caused perjury (7764a-7767a ; 7770a-7774a). Trade and liquor (7768a-7769a). Supporter of Scott Act at first, indifferent to repeal (7775a-7776a). Temperance people took no stock in Act, repealed because not enforced, disappointing in results, officials to blame (7777a-7789a ; 7806a-7812a ; 7830a-7848a). Favours prohibition, enforced by Government. Favours compensation or time notice, favours direct taxation (7790a-7805a ; 7813a-7826a ; 7854a ; 7860a-7863a). Prohibition practicable (7827a-7828a ; 7849a).

**OWEN SOUND, 20th October, 1894.**

**ALLAN, BENJAMIN, of Owen Sound, Clerk of Division Court.....Page 453**

Formerly M. P. for N. Grey, resident 36 years (9210a-9213a). Active promoter of Dunkin Act, liquor men determined, first to defeat, then to destroy the Act, perjury and rioting rife, witness's house rotten egged and lamps broken ; drinking excessive ; no beneficial result, no Dominion law to punish, money penalty insufficient, difficult to convict, no power of search ; doctors should not sell (9214a-9234a). Favours prohibition, government should make exceptions and manufacture, compensation conditional, would except home made cider, and wine ; fiscal difficulties could be met by revenue tariff on luxuries, or direct taxation if necessary (9235a-9252a). License law very well enforced, anti saloons (9253a-9257a). Liquor traffic injures other trades (9258a-9260a). Could enforce Scott Act in Owen Sound (9260a-9263a). Scott Act repealed, not workable, Dominion law gave no power to enforce, wants amendments to punish law-breakers (9264a-9273a). Prohibition at Bendigo Diggings, Victoria, Australia, not successful (9274a-9277a).

**ARMSTRONG, WILLIAM R., of Owen Sound, Clerk of Peace .....Page 525**

Resident 40 years, County Crown Attorney, his duties (8692a-8697a ; 8702a). Intemperance and crime (8698a-8701a). Anti prohibition ; favours compensation (8707a-8709a).

**BISHOP, WILLIAM, of Owen Sound, Clerk of Police Court.....534**

Resident 35 years (8878a-8881a) : Dunkin Act unsatisfactory, County Attorney and License Inspector had to carry arms in self-defence, public sentiment caused repeal (8882a-8888a) ; still in force in Sarawak, success of act depends on circumstances of locality (8889a). Presents statistics of convictions (8890a-8892a). Prohibition practically impossible, would favour prohibition if practicable, and compensation, would make no exceptions (8893a-8901a). Would treat chronic alcoholism as disease (8906a-8907a). Juvenile offenders (8908a-8909a).

**BRECKENRIDGE, ROBERT, of Owen Sound, Manufacturer.....Page 537**

Resident 25 years (891 2a-8914a) ; Dunkin Act poorly carried out, considerable drunkenness (8915a-8921a ; 8937a-8942a) ; liquor and labour, loss arises (8922a-8928a) ; sale as open under prohibition in Maine as under license in Owen Sound (8929a-8932a). License well carried out (8934a-8936a). Anti prohibition, favours some compensation (8943a-8945a ; 8950a-8953a) ; prefers license to Maine law or Dunkin Act, things work better (8946a-8949a).



**BROWN, WILLIAM, of Owen Sound, Book-keeper..... Page 564**

Resident 30 years (9413a); Dunkin Act not enforced, caused "bad feelings," perjury, and everything else (9414a-9417a). Poverty due to laziness, intemperance and idleness (9421a-9425a). License law not enforced, else good enough (9426a-9431a). Favours prohibition, with no exceptions, and compensation, it could not be enforced (9432a-9437a). Voted for repeal of Dunkin Act (9439a); Scott Act first petition informal, contained names should not have been on; second petition names of first petition pasted on, impounded, no action taken, and no vote (9439a-9448a).

**CHISHOLM, WILLIAM N., of Owen Sound, Collector of Inland Revenue. Page 544**

Resident since 1890 (9055a-9058a). Presents statistics for 10 years. Spirits ex-warehoused during Dunkin Act, explanations (9059a-9071a); Dunkin Act complete farce in Meaford, much drunkenness (9072a-9077a); illicit stills decreasing; get one now and then; very poor liquor; would increase under prohibition (9078a-9087a).

**EATON, CHRISTOPHER, of Owen Sound, Brewer..... Page 556**

Resident 10 years (9278-9281a); presents statistics of output (9283a-9284a); business done in Scott Act Counties, trade in Orangeville unsatisfactory; could not collect (9285a-9291a); would lose by prohibition; be ruined in fact; could not recover even book debts (9292a-9293a). Drinking under Scott Act; less now owing to enforcement of license law (9293a-9295a).

**FLEMING, CHRISTOPHER, of Owen Sound, Principal, Business College.. Page 569**

Resident 15 years (9522a); Dunkin Act worked well in county; sale almost stopped; repealed, people disappointed; temperance people stopped working (9524a-9532a). Temperance sentiment growing (9533a-9534a); license law middling; minors supplied; Saturday night sales; Indians get liquor (9535a-9542a). Favours prohibition, anti compensation (9543a-9548a).

**HINCKS, REV. WILLIAM, of Owen Sound, Methodist Minister..... Page 558**

Resident 18 months (9300a-9304a). Concurs in deliverance of Montreal conference (9307a). Scott Act in Woodstock discouraging, no vigorous enforcement (9308a-9310a); experiences in Maine; drunkenness visible; hard to get liquor (9311a; 9316a-9323a). Distress and misery caused by intemperance (9312a). Growing temperance sentiment due to churches (9313a-9314a). Prefers Maine law to License Law or Scott Act (9324a-9330a). Would prefer more sweeping measure; when country is ripe for it. Would prohibit home-made wine and cider; would except liquor for mechanical, medicinal and sacramental uses. Favours compensation (9331a-9341a). Scott or Dunkin Acts no criterion for prohibition (9342a).

**INGLIS, GEORGE, of Owen Sound, County Court Clerk..... Page 560**

Dunkin Act failure; promoters made no effort at enforcement—more drunkenness than ever; true bill found against rioter not proceeded with; no conviction (9347a-9353a). Anti prohibition; favours compensation (9356a-9357a). Prefers license properly enforced (9356a-9357).

**LEDYARD, REV. JAMES, of Owen Sound, Church of Disciples of Christ.. Page 566**

Resident 3 years (9451a). Scott Act in Kent satisfactory; common difficulties experienced; repealed impracticable; effect beneficial; never favourite measure with temperance people; they became discouraged (9457a-9468a). License law fairly successful (9469a). Antilicense (9469½a-9470a). Favours prohibition; no exceptions; no compensation (9471a-9474a). Poverty and distress fruits of intemperance (9475a).

**MILLER, JAMES C., of Owen Sound, Book-keeper.....Page 561**

Resident 38 years (9360a). Dunkin Act failure; life too short; should be 10 years; liquor men felt if they could bring Act into disrepute they could repeal it; difficult to obtain convictions; no power of search; drunkards put on street to show up Act; liquor men and friends caused repeal; public sentiment lacking; more than under license (9361a-9377a; 9381a; 9399a-9401a; 9403a-9408a). Temperance sentiment growing (9378a-9380a). License might be better enforced; small illicit sale; some to minors (9383a-9385). Favours prohibition; no exceptions; no compensation (9386a-9388a; 9392a-9293a; 9402a; 9409a-9410a). Business injured by liquor (9395a). Poverty due to intemperance (9396a-9398a).

**MILLER, JOHN, of Owen Sound, Governor of Jail.....Page 551**

Governor 31 years (9175a-9177a). Presents statistics for committals for drunk and disorderly for years 1875-1892, showing decrease under Dunkin Act, and comparative steady gradual decrease (9178a-9181a; 9204a). Temperance sentiment growing (9182a-9184a). Crime gradually decreasing; more commitments during railway construction (9185a-9187a). Crime and intemperance (9188a-9190a; 9194a). Vagrants intemperate; few abstainers prisoners (9191a-9193a). Anti prohibition, anti compensation; favours license (9196a-9200a). Few juvenile prisoners—most have drunken parents (9201a-9203a). Favours longer terms for old soakers (9207a-9209a).

**MILLER, ROBERT B., of Owen Sound, Real Estate Agent.....Page 568**

Resident 38 years (9504a). Dunkin Act partial failure; not enforced; educator; no open bars; no treating; good deal of drinking (9506a-9512a). License tolerably enforced (9513a). Families cursed by liquor (9514a). Favours prohibition; no exceptions; discriminating compensation (9516a-9519a). Dunkin and Scott Act failures because manufacture continued (9520a).

**MOORE, CHARLES H., of Owen Sound, Sheriff.....Page 517**

Resident 31 years; Sheriff 13 years; population law-abiding (8531a-8546a). Crime decreasing—manners improving—temperance increasing (8548a-8550a). Dunkin Act very unsatisfactory; increased consumption of liquor; general demoralization (8551a-8562a; 8595a-8601a). Scott Act in Bruce; open liquor (8563a; 8578a-8579a). Anti prohibition; favours compensation; undesirable legislation (8564a-8566a). Liquor and crime (8566½a-8572a). Scott Act petition irregular; thrown out; could not be entertained (8573a-8577a). License law satisfactory; anti saloons; billiards should be separate from liquor; increased temperance sentiment; would regulate number of licenses (8580a-8588a).

**MULHOLLAND, VEN. ARTHUR H., of Owen Sound.....Page 548**

Archdeacon of Huron; resident since 1849 (9028a-9031a). Intemperance and distress and poverty (9032a). Unparalleled drunkenness under Dunkin Act; men otherwise temperate drank. Would not allow act of Parliament to take away liberties. Sunday not observed; created discord (9033a-9039a). Temperance sentiment growing (9038a-9040a). Would not vote for prohibition; favours compensation (9041a-9054a).

**MCCAULEY, JOHN, of Owen Sound, Chief of Police.....Page 531**

Resident six years; formerly in township of Holland (8798a-8801a). Dunkin Act in Holland partially successful; was beneficial (8804a-8821a; 8861a-8862a; 8866a-8868a; 8876a-8877a). Owen Sound law abiding community (8825a-8826a). Temperance sentiment growing fast; through the influence of relig.

**McCAULEY, JOHN—Continued.**

ious bodies and temperance societies (8827a-8828a). Little drunkenness: presents statistics of arrests for drunkenness, disorderly conduct, vagrancy, etc. (8832a-8835a). Poverty growing; caused by intemperance and idleness (8839a-8842a). Intemperance and crime (8843a-8844a; 8847a-8848a). Juvenile crime small, its cause (8845a-8846a). License law fairly enforced; favours open bars; anti saloons, and saloon billiard licenses (8849a-8857a). Favours prohibition, but prefers license, unless special officers are appointed; favours compensation (8858a-8860a; 8864a-8865a). Imprisonment, and habitual drinkers (8869a-8872a).

**McLAUGHLIN, of Owen Sound, President Board of Trade.....Page 526**

Resident thirty-three years; confectioner (8711a-8714a). Business steadily increasing (8715a-8719a). License fairly carried out (8720a-8721a). Moral sentiment improving (8722a-8723a). Liquor and trade (8724a). Dunkin Act failed; men delighted to violate law; liquor everywhere; general disgust caused repeal; supporters of Act first violators (8725a-8730a; 8745a-8747a; 8751a-8753a). Idleness caused poverty (8731a-8732a). Anti saloon (8738a). Favours prohibition, if practicable, and enforced; favours compensation; would not interfere with cider and home made wine; question of importation practical difficulty (8739a-8744a; 8748a; 8758a). Prefers license (8749). Prohibition dependent on people for enforcement (8750a). Anti saloons and billiard parlours (8756a-8757a). Scott Act in Bruce (8761a-8766a). Favours inspection of liquor (8767a).

**PARKER, S. J., of Owen Sound, County Treasurer.....Page 529**

Treasurer for County of Grey twenty years; formerly president of Board of Trade (8768a-8772a). Dunkin Act not carried out at all; people antagonistic; promiscuous drinking everywhere; spirit drinking increased; and number selling; repealed on account of non-success (8773a-8779a; 8791a-8793a). License well observed (8780a-8781a). Anti saloon (8782a); anti prohibition: favours compensation (8785a-8786a). Prohibition impracticable (8788a-8790a). Favours inspection (8787a). Disposal of fines under Dunkin Act (8794a-8797a).

**PEARCE, CHARLES E., of Owen Sound, License Inspector.....Page 539**

Resident twenty-one years; inspector seventeen years, including Dunkin Act period (8955a-8959a). Dunkin Act did not work well; was beginning to when repealed; no attempt to re-enact; bar rooms closed; hotel keepers in jail; some illicit sales and drunkenness; the judge, police force and people against it; perjury existed; money caused repeal; poll books were burned; act better observed in rural districts (8960a-8983a; 8991a-8992a; 9016a-9017a). Detectives mobbed, riotous conduct (8993a-8998a). License Law violated; illicit selling; do not reach all violations; fewer houses in district (8984a-8988a). Temperance sentiment increasing (8989a-8990a). Favours prohibition; and compensation; would submit to direct taxation; opposes farmers making their own wine and cider; and importation for private use (8999a-9012a). Scott Act petition faulty; never in force (9014a-9015a). Presents statistics of prosecutions (9023a). Drunkenness decreasing; result of education (9024a-9025a). Favours fewer licenses (9025a-9027a).

**Recalled .....Page 548**

Riots at Chatsworth, under Dunkin Act; County Attorney and witness mobbed by a gang headed by a bar tender and Dr. McGregor, to get at a detective; some shooting done; cases adjourned; militia ordered out; trial proceeded quietly; then mob attacked train; and broke windows; detective besieged in witness's house for 6 weeks. No prosecutions for rioting; would have been too

**PEARCE, CHARLES E.—Continued.**

much perjury for conviction (9145a-9158a). Witness's horse poisoned; his head cracked; stick filled with gunpowder put in his wood pile (9159a-9160a). Dr. McGregor arrested; use of court room refused for trial; witness sued for false arrest at cost of \$300; only partially repaid by Province (9161a-9164a). Determination to defeat act; men in high position threw rotten eggs; anarchy reigned (9165a-9169a). Scott Act petition was technically faulty; thrown out (9170a). Troubles under license; witnesses taken away (9171a-9173a). Dunkin Act supporters were also violators (9174a).

Recalled ..... Page **556**

Some rioters committed; true bills found; no convictions.

**SPEERS, JACOB D., of Owen Sound, Real Estate Agent.....Page 567**

Resident 7 years(9477a). Dunkin Act in Grey; complete failure; also in Holland; drunkenness common; liquor on trains; farmers took bottles home. License law preferable; good if enforced (9478a-9492a). Temperance sentiment growing with education (9493a-9494a). Anti prohibition *in toto*: favours compensation (9495a-9497a). Prohibition in Iowa; liquor obtainable; so in Halton under Scott Act; temperance hotel could not live (9498a-9502a).

**SPENSER, ALFRED J., of Owen Sound, Treasurer .....Page 546**

Resident 46 years; receives money for licenses (9088a-9093a). Received no fines under Dunkin Act (9094a). Act a failure; did not reduce sale of liquor; drunkenness apparent; act utterly unbeneficial (9095a-9101a.) Anti prohibition; favours compensation (9102a-9103a). Less drunkenness under license (9104a-9105a). Riots under Dunkin Act (9106a-9114a). Supporters left act to enforce itself (9115a-9117a). Failure caused repeal (9118a-9120a). Anti saloons (9123a-9124a). Growing feeling against liquor (9125a-9127a).

**STEPHENS, JAMES C., of Owen Sound, Collector of Customs .....Page 548**

Resident since 1850 (9129a). Presents statistics (9133a-9134a). Dunkin Act unsuccessful: liquor sold; drunkenness existed (9135a-9139a). Could enforce prohibition (9140a).

**TORONTO, October 23, 24, 25, 26, 27, 28, 30, and 31; November 1, 2, and 3; and December 6, 7, and 8, 1893.**

**ADAMS, WILLIAM C., of Toronto, Dentist.....1165**

Favours prohibition of traffic (17867a-17871a). Illicit selling in Toronto; Saturday and Sunday selling; drinking and heredity; degradation and infanticide through drink (17872a-17882a).

**AIKINS, WILLIAM T., M.D., of Toronto .....Page 820**

Practitioner 48 years (13356a). License law fairly enforced in Toronto (13359a); intemperance decreased latterly, why, sad record of profession, favours few houses and short hours (13360a-13367a); prefers prohibition to license; dangers of alcohol; prohibition would be beneficial; majority in Ontario ready for prohibition; prohibition badly enforced no use (13371a-13376a). Reasons for Scott Act repeal, present smuggling (13377a-13380a). Advocates entire prohibition except for medicinal purposes; would not allow young people to experiment

**AIKINS, WILLIAM T.—Continued.**

whether they would be intemperate or no (13381a-13383a; 13445a-60a). Proportion of drinkers and non-drinkers in Toronto; what is a moderate drinker (13382a-13409a; 13418a-13444a). Prohibition easily enforced in Ontario, but, Quebec dissenting, could not be made Dominion success (13410a-13417a). Moderate drinking dangerous; shown in times of epidemic disease; scenes "behind the curtain"; rules of Methodist Church (13461a-13463a; 13489a-13514a). Medical men more cautious in prescribing alcohol (13464a-13467a). Heredity and atavism (13468a-13488a); pathological and criminal aspects of liquor and total abstinence; life insurance (13469a-13487a). Advocates institutions for habitual inebriates; denounces "gold cure" (13515a-13539a).

**ANGLIN, HON. TIMOTHY W., of Toronto, Journalist.....Page 914**

Journalist, ex-M.P., formerly Speaker of the House, and resident of New Brunswick (14522a-14526a); history of the New Brunswick prohibition act, its conception, scope, passage and effects. The political crisis and act repealed (14527a-14532a); liquor a luxury, use of luxuries could be profitably dispensed with; useful as stimulant; in excess most mischievous. No measures yet devised anywhere sufficient to wipe out altogether the evils resulting from the excessive use of intoxicating liquor; Maine law works well where not necessary, useless where strong drink is used. Experience in Portland and Bangor (14533a). Scott Act in North Simcoe made little difference. Prohibition teaches craft, cunning, falsehood and in some cases perjury. Drinking under Scott Act in Fredericton and St. John (14533a-14538a; 14552a). Results of prohibitory measures have not been beneficial on the whole, but reverse; mischief has been enormous, good very small, prohibition if enforced would do good, but would interfere with the right of the subject to discriminate in drink. Does not believe legislatures have the right to go so far. May have power to pass, may have power to enforce, but questions their right to deprive 99 of harmless enjoyment because of one (14538a-14539a). Drinkers, ancient and modern, social conditions improved owing to religious influences, change of sentiment and growth of intelligence; Archbishop of Toronto and pledge. Agriculturists and liquor (14539a-14542a); grain market question should not have much weight in determining prohibition. If prohibition is essential all else must give way (14543a-14544a); favours compensation, his reasons, but where to stop? Difference between effects of tariff change and prohibition (14545a-14550a); revenue aspect of prohibition (14550a-14552a). Prohibition utterly impossible; smuggling would ensue; effect of non enforcement would be bad. Instances Scott Act in St. John, deplorable state of things. Prohibitionists violent sometimes. Opposed prohibition at Ottawa (14552a-73a); thinks Norwegian system would be good (14574a); would substitute light wines and beers for the heavier articles (14575a-77a); make the license as high as you can (14578a).

**ARCHIBALD, DAVID, Staff Inspector of Police, Toronto.....Page 641**

His position and duties, formerly in Royal Irish Constabulary (10605a-10609a). Drunkenness reduced, why? Reduction of licences primary cause (10610a-10615a), shebeens exist but few only (10616a-10622a). Drinking classes, how composed (10623a-10630a). Clubs and club life (10631a-10645a). Treatment of arrested drunkards (10654a-10655a). Favours absolute prohibition, effective and practicable (10655a-10670a; 10739a-10743a; 10749a-10780a; 10784a-10785a). Scott Act repealed, not properly enforced; temperance people did not back it up; few officers inclined to support it (10671a-10684a; 10737a-10738a). Houses of ill-fame suppressed (10685a-10698a); all sold liquor (10720a). Immoral literature suppressed (10699a-10706a). Truancy (10707a-10709a). Juvenile crime and liquor (10710a-10715a; 10781a-10783a). Anti saloon licenses (10721a-10722a). Perjury in liquor cases (10723a-10729a). Illicit selling and sales to minors small (10730a-10732a). Imprisonment and chronic drunkards, favours hospitals (10733a-10736a). Dunkin and Scott Act in relation to prohibition (10744a-10748a).

**ARMOUR, JOHN DOUGLAS, Chief Justice of Ontario..... Page 1042**

On bench 16 years, formerly of Cobourg, Crown Attorney from 1856 (16098a-16102a). Aversion to work, not drunkenness, makes men criminal (16103a-16104a). Dunkin Act in Haldimand adopted by large majority, repealed, impossible to enforce. Extreme temperance men had repugnance against testifying (16105a-16106a). Would support prohibition if practicable could not be enforced, evil effects of liquor; opposes remuneration (16107a-16109a). Law prohibiting offence not bad *per se*, hard to enforce (16110a). Perjury in liquor cases not confined to prohibition prosecutions (16111a-16112a). Clauses of license law must be arbitrary (16113a). U. S. prohibitory experiments succeed in rural sections where not wanted (16114a).

**BALDWIN, REV. ARTHUR H., Toronto, Rector of All Saints..... Page 741**

Clerk in Holy Orders, Rector over 21 years (12226a-12230a). Liquor distress and poverty, lust as injurious as intemperance (12231a-12234a; 12265a-12269a). Growth of temperance sentiment, how effected (12235a-12238a). Favours reduced number of licenses, high license and inspection (12239a-12241a; 12258a). Prohibition a great curse in Maine, made drunkards, hypocrites, and sneaks; open bars in Portland; liquor sold in prohibition quarter Chicago (12242a-12246a). Opposed to prohibition; favours compensation, temperance and education (12247a-12249a; 12259a-12264a; 12270a-12271a). Church of England requires fermented wine for communion (12250a-12253a). Would encourage use of lager, light wines and beer as against spirits (12254a-12257a). Anti saloon (12272a-12275a).

**BASSO, MICHAEL, of Toronto, Agent..... Page 1177**

Dunkin Act at Bowmanville unsuccessful (18065a-18066a; 18104a-18105a). Favours prohibition of ardent spirits and encouraging use of light wines; and home manufacture as in Italy; anti tavern (18067a-18081a; 18084a-18103a). Italians in Canada take to beer (18082a-18083a).

**BURNS, REV. W., of Toronto, Methodist Minister..... Page 1075**

On retired list; concurs in deliverance of Methodist conference (16532a-16536a). Favours prohibition; no limited measure; the whole traffic in short (16537a-16541a; 16552a-16553a; 16567a-16568a). Experiences of Scott Act and local option; at Warkworth, Scott Act worked well; repealed because of ridicule, and represented as a failure. Local option in Mariposa not a great success (16542a-16551a; 16564a-16566a; 16569a-16577a). Opposes compensation (16554a-16555a). Forty years growth of temperance, the influence of the churches, and other agencies; public sentiment changed (16556a-16561a). Legislative restriction of liquor traffic been educational (16562a-16563a). Want, misery and liquor (16577a-16578a).

**CALDECOTT, STAPLETON, of Toronto, Merchant..... Page 1173**

Of firm of Caldecott, Burton & Spence, formerly in Montreal and England (17987a-17989a). Liquor obtainable in Maine at Orchard Beach (17990a-17993a; 18013a-18017a). License Act has weak points, drinking on Thanksgiving day, minors supplied (17994a-17999a). Appealing cases of destitution caused by liquor (18000a). Favours prohibition with measure of compensation (18001a-18012a; 18025a). Employs temperance men (18018a-18024a). Scott Act beneficial (18026a-18027a). Send drunkards to reformatory (18028a). Close saloons (18029a-18033a).

- CAMPBELL, Rt. Rev. T. W., of Toronto, Bishop of the Reformed Episcopal Church in Canada**.....Page **1046**  
 Presents resolution of general council in favour of temperance (16156a-16160a; 16178a-16197a). Drink responsible for wretchedness, misery, poverty, and neglect of religion (16161a-16165a; 16193a-16201a). License law in Toronto as well enforced as possible considering its defects; endorses Mr. Spence's suggestions for amendments (16166a-16173a). Favours complete prohibition except manufacture for personal use (16174a-16177a). Wine at Holy Communion (16202a-16205a).
- CHAMBERLAIN, ALBERT, of Toronto, Real Estate Agent**.....Page **1106**  
 Favours prohibition *in toto*, no importation (17006a-17007a; 17017a-17035a). Reduction of licenses beneficial (17008a-17010a). Opposed to license, better than free liquor (17011a-17014a). License law in Toronto better than in England (17015a-17016a).
- CHAPMAN, EDWARD, of Toronto, Professor of Mineralogy and Geology**..Page **1145**  
 Formerly member of the Liberal Temperance Union, anti prohibition, prohibition would hinder legislation, favours compensation, continental drinking (17543a-17551a).
- CHRISTIE, ROBERT, of Toronto, Inspector of Insane Asylums**.....Page **992**  
 The inspectorship, its duties and arrangements (15662a-15667a). Presents statistical report for 10 years, explains apparent fluctuations in admissions and abnormal increase in number of inmates, comparative statistics, no reliable statistics for Canada and the United States (15668a-15698a). Alcoholism as an exciting and a predisposing cause of insanity, small percentage due to intemperance, presents statistics, number in asylum without specific information, tramps, etc. (15669a-15706a). Formerly Inspector of prisons, statistical information, causes of abnormal increases in commitments (15707a-15723a). License system works well, little confidence in a prohibitory law restraining drunkenness; prefers license to limited prohibitory law. Total prohibition could not be carried out (15727a-15733a). Enforced prohibition in all insane asylums (15734a-15735a).
- CLARK, DANIEL, M.D., of Toronto, Superintendent of Insane**.....Page **988**  
 Resident 18 years as superintendent of insane asylum. Some 710 to 720 inmates, population of asylums steadily increasing, erection of branch asylums (15615a-15626a). Various causes of insanity, heredity tendency 60 per cent, religious excitement  $3\frac{1}{2}$  per cent, intemperance  $9\frac{1}{2}$  per cent (15627a-15637a; 15642a-15648a). Accommodation at other asylums (15638a-15641a). Abstinence improves physical and mental health (15649a-15650a). Other "toxicants" causes of insanity (15651a-15657a). Prohibition excellent if enforceable, but impracticable (15658a-15661 $\frac{1}{2}$ a).
- CLARK, MORTIMER, Q.C., of Toronto**.....Page **1181**  
 Thinks prohibition would be impracticable, no compensation (18115a-18116a). Too many houses in Toronto (18115a-18116a). Presbyterian Church takes no action in the matter (18119a-18123a). Ruin by drinking (18124a-18126a).
- CLARK, REV. W., Toronto, Professor of Trinity**.....Page **798**  
 Graduate of Aberdeen and Oxford, been at Trinity 10 years (13097a-13098a). Opposed to prohibition, wrongful in theory, hurtful in practice (13100a). Scott Act produced illicit selling, lying and perjury. Temperance people all activity at first, not afterwards when act proved failure, then opponents all in motion

**CLARK, Rev. W.—Continued.**

(13101a-13103a; 13182a-13185a). Reasonable liberty *vs.* too great stringency. London contrasted with New York (13104a-13105a; 13136a-13141a). Drunkenness increasing in France not in Germany; In France, chiefly Paris, workmen drink absinthe and get drunk, in the country claret and little drunkenness; children educated as moderate drinkers more temperate than those brought up abstainers. In Germany lager beer and Rhine wine largely used; little drunkenness prevails (13106a-13113a; 13189a-13192a). Condemns the treating system, perpendicular drinking, and drinking between meals. Considerable drunkenness in Canada, men in the trade (13114a-13117a; 13146a; 13150a-13155a; 13173a-13177a). Few moderate drinkers become immoderate, does not remember one (13118a-13122a; 13159a-13160a). Heredity, children of moderate drinkers who become drunkards, children of drinkers who become abstainers, drinking decreasing in England and Scotland (13123a-13126a; 13161a-13163a). Prohibition inconsistent with Divine Government. "If Divine Providence wanted a Scott Act He would, have it." "Rather have England free than England sober." If free may become sober by moral excellence. Impracticable, would require practical unanimity, and involve compensation (13127a-13130a; 13168a-13171a; 13180a-13181a). Fermented wine needed for holy communion (13131a-13132a; 13186a-13188a). Moderate use of wine beneficial; poverty and liquor (13133a-13135a; 13178a-13179a); Regulations for students beer allowed, when authorities disallowed beer students brought in whisky. Very little drunkenness (13142a-13145a). Church of England Temperance Society, its double pledge and waning power owing to greater power of extreme party (13146a-13149a). More dangerous to suppress than to carry on the liquor trade. Trade no more dangerous than musical instruments, ball-rooms, and theatres. All in same category (13156a-13158a). Self respect greatest factor in causing temperance (13163a-13164a). Advocates greater power to shut up habitual drunkards (13166a-13167a). Regulation advisable for the traffic (13172a). Norwegian system temptation to increase profits. Things managed by Government generally not well managed. Public opinion true criterion (13193a-13199a).

**COSGROVE, LAWRENCE, of Toronto, Brewer.....Page 967**

Brewer, manager of Cosgrove & Co., established 32 years, produce ale and porter (15218a-15225a). Statistics of output, barley, malt and wages (15226a-15239a; 15251a-15265a). Sales under Scott Act, mode of shipment (15240a-15244a). Value of plant, probable depreciation under prohibition (15245a-15249a; 15272a-15273a). Statistics of hops (15250a). License law best law so far, licensees refuse drunkards (15266a-15268a). Large illicit sale in Toronto (15269a-15271a).

**COWAN, AGNES, of Toronto, Salvation Army.....Page 1090**

Manager of Rescue Home. Toronto and St. John (16737a-16740a). Statistics of home and nature of work. Intemperance and immorality allied (16741a-16760a). Favours prohibition of traffic (16761a-16762a).

**CREWS, REV. A. H., of Toronto, Methodist Minister.....Page 1176**

Provisions of license law fairly observed, houses interfere. Advocates prohibition with conditional compensation (18046a-18059a).

**CRIBBEN, F. C., of Toronto, Shoemaker.....Page 744**

Resident 9 years, member of Trade and Labour Council (12276a-12283a). Trade and Labour Council favours and promotes temperance, would go far towards prohibition. Saloons and treating in bad odour (12284a-12292a). Favours abolishment of saloons and bars and government control of traffic (12292a-12293a). Favours fewer licensed places (12295a). Intemperance decreasing



CRIBBEN, F. C.—*Continued.*

(12296a). Canada more temperate than England, Toronto more sober than England (12297a-12304a). Loss of time caused by liquor, one man away makes many stay; children sent to work too early and loose schooling; saloons too near factories (12305a-12308a). Favours prohibition, and State control, anti compensation, would allow time (12309a-12316a). Poverty caused by and causes drinking, cooking schools wanted (12317a-12331a).

DAVIES, ROBERT, of Toronto, Brewer.....Page**713**

Dominion Brewery Company, formerly Robert Davies, their product and district (11744a-11752). Scott Act in effect; business increased, how the act was evaded (11753a-11769a; 11803a-11810a; 11816a-11858a). Statistics of output, and explanations (11770a-11797a). Experiences with lager (11798a-11801a). Loss prohibition would entail (11811a-11815a). Statistics of valuation and capital (11859a-11860a). Prohibition in Maine, liquor obtainable (11861a-11871a). Price of barley (11872a-11874a). Effects of prohibition in barley and hop industries (11875a-11889a).

DENISON, GEORGE T., Police Magistrate, Toronto.....Page**722**

Police Magistrate since 1877, statistics and reports in hands of court officials (11931a-11940a; 11948a). Custom of the court in dealing with charges (11941a-11947a). Statistics show decrease in number of offences, police activity causes more or less fluctuation (11949a-11953a) arrests for drunkenness; fewer arrests presumptive evidence of less drinking (11954a-11963a). Prohibition no views, no experience except in North-west during rebellion (11964a-11987a). Chronic drunks, their treatment (11988a-11990a; 12022a-12029a). Fines for drunkenness (11991a-11995a). Drink and crime (11996a-12000a; 12008a). Juvenile crime most serious question (12001a-12007a; 12012a-12021a). Illicit selling considerable (12009a-12211a).

DEWART, REV. E. H., D.D., of Toronto.....Page**1123**

Methodist Minister, Editor "Christian Guardian" (17232a-17235a). Concurs in deliverance of Methodist conference (17236a). Favours entire general prohibition as regards traffic, compensation depends on circumstances (17237a-17243a; 17249a-17254a; 17262a-17266a). Deploable results of excess, growth of temperance sentiment (17244a-17245a). Scott Act advantageous where enforced, still repressed somewhat if not completely (17247a-17248a; 17258a-17259a). Increased restriction in accord with public sentiment (17255a-17257a). Favours restrictions of License Law (17260a-17262a).

DEWART, HERBERT HARTLEY, of Toronto, Crown-Attorney for County of York.....Page**807**

Resident 24 years, appointed by Provincial Government about 2 years, attends to jury cases for city and county, cases arising from drunkenness (13200a-13208a). Scott Act, impression less liquor sold, less drunkenness, consumption less, sales conducted in secret and illicit way in Georgetown, and Milton, never saw any drunken man in Lincoln and Halton under Scott Act. Great many offences, they were not loyal to law, difficulty placed in way of enforcement, loath to put law in motion, repealed because not enforced, people apathetic, inspector in Elgin not in sympathy with law, question of enforcement by Dominion or Provincial authorities helped to destroy it, municipal council not elected on temperance questions (13209a-13234a; 13238a-13240a). Liquor and crime (13235a). Tendency to perjury in liquor cases, (13236a-13237a; 13244a-13249a), Favours test of prohibition, an experiment, enforceable as other laws, liquor traffic contains measure of evil (13241a-13243a; 13250a-13260a).

**DEXTER, THOMAS, of Toronto, Chief License Inspector. . . . . Page 839**

Appointed, 1876 (13654a-13656a). Crook's Act frequently amended with beneficial results (13657a-13661a). Statistical information (13662a-13669a; 13691a-13700a; 13708a-13712a; 13738a-13749a). Provisions of license law well observed (13670a-13672a; 13701a-13703a). Small illicit selling, stuff sold in dives, and fancy houses, frequenters members of criminal class (13673a-13679a; 13704a-13707a). License transfer and forfeits (13680a-13684a); good class licensees in Toronto, reduction in licenses beneficial, drunkenness decreasing (13685a-13686a; 13725a-13732a). Prohibition in Maine did not stop his getting what he wanted (13687a-13690a). Public do not assist in enforcing the license law, nor licensees who are as bad as temperance people; people afraid of court, must employ detectives (13712a-13715a; 13733a-13734a). Unlicensed dives most danger in the community (13716a-13720a). Character of licensed houses (13721a-13724a). Scott Act enforcement weak (13735a-13736a).

**DICKSON, WILLIAM H., of Toronto, Journalist. . . . . Page 1109**

Formerly of Ottawa (17036a-17040a). Scott Act in Carleton, liquor obtainable without much restraint; practically open bars and bad liquor (17042a-17056a). Open sale under Scott Act in Maritime Provinces, and under prohibition at Vancefield in Maine (17057a-17081a; 17094a-17098a). Opposed to prohibition favours compensation (17082a-17086a). Mr. Kribs's amanuensis during the sittings of the Commission (17087a-17094a).

**DOBSON, JAMES, J. P., of Toronto. . . . . Page 1147**

Resident 58 years (17554a-17555a). Dunkin Act in York, trouble at first but beneficial (17556a-17564a; 17586a-17592a). Favours prohibition opposed to traffic, anti compensation, Government should acquire stock (17765a-17777a). License Act fairly observed, breaches formerly frequent; unsatisfactory evidence in liquor cases (17580a-17585a). Effect of drink traffic, Roland Burr's extraordinary statement (17593a-17601a; 17623a-17646a; 17656a-17662a). Temperance in politics, too much party, will only vote for temperance candidate (17602a-17622a; 17647a-17655a).

**DOIDGE, GEORGE, of Toronto, Retired Farmer. . . . . Page 792**

Formerly farmer in County of Ontario, at Pickering and East Whitby (12972a-12977a). Scott Act unsatisfactory from very first; clashing of authority to administer law killed it; Police Magistrate appointed for political purposes; good many cases tried; mostly convictions; difficulty in obtaining evidence; tendency to perjury (12978a-12994a; 13005a-13009a; 13041a-13042a; 13048a-13051a; 13069a-13070a). Experiences of licensing act as magistrate, witnesses reluctant to testify other cases and liquor (12995a-13004a; 13074a-13075a). Supported Scott Act, narrow bounds of act caused non-success, temperance people seemed to think they had secured act, others could enforce it. No trouble to enforce act, preferable to license (13010a-13021a; 13071a-13073a; 13076a-13096a). Anti license as moral wrong, preferable to untrammelled sale, opposed to revenue; favours Norwegian system (13022a-13026a; 13062a-13068a). Favours prohibition, would submit to compensation, and direct taxation, would allow farmers to make cider (13027a-13040a; 13061a). License Act well enforced, little illicit selling (13043a-13047a). Prohibition in Northwest (13052a-13060a).

**DOUGHERTY, ALEXANDER, of Scarborough, Farmer. . . . . Page 949**

Farmer in County of York, tenant, grows chiefly barley for first rent (14923a-14926a). Grows from 35 to 50 acres yearly, about 1,000 bushels, sells whole on Toronto market, mostly used by brewers, shipped to States formerly, cessation of brewing would lower price, low feed for cattle (14927a-14949a).

**DUMOULIN, Rev. J. PHILLIP, Rector of St. James's Cathedral, Toronto..Page 942**

Clerk in Holy Orders, Church of England, formerly of Montreal (14793a-14797a). Toronto and Montreal, about the same intemperance (14798a). His parish bounds, several hotels included, and plenty of saloons good deal of intemperance (14799a-14804a). License law carried out as well as police can, but with many breaches (14805a; 14817a-14818a). Destitution and intemperance (14806a; 14826a). Opposed to prohibition, would not be practicable; is not founded on the principles of eternal wisdom; and past experience; Jews had drunkenness but no prohibition; Romans, Greeks and English; law should not deprive of power, but strengthen to resist temptation. Approves moral suasion. Adultery not made impossible. Murder not made impossible, nor any other offence against Divine and human laws. Sin consists in excess of some kind (14807a-14811a; 14815a-14827a; 14839a-14846½a). Wine required for Holy Communion (14812a). Favours compensation (14814a). Traffic dangerous to excessive users (14816a). Favours high license and few licenses; would close small saloons, places frequented by hard cases. No comparison in licensed houses (14828a-14836a). Infidelity, dishonesty, and idleness as great factors in domestic trouble as intemperance (14837-14838a). Beer at public schools and Sunday School treats in England, light wines and beer in Germany and France and Italy, advocates German system here (14847a-14849a; 14854a-14857a). Advocates use of light beverages and restrictions on the trade (14850a-14853a).

**ELLIS, W. H., M.B., of Toronto.....Page 1143**

Professor of applied chemistry in School of Practical Science. Public analyst (17502a-17503a). Analyses samples of liquor for Inland Revenue Department, only adulteration of any consequence is water, not at all injurious, alcohol in patent medicine (17504a-17516a; 17520a-17525a; 17528a-17542a). Anti prohibition, favours compensation (17517a-17519a; 17526a-17527a).

**FISHER, J. T., M.D., of Toronto.....Page 1171**

In practice 27 years (17955a-17958a). License law not at all satisfactory; should be more restrictive; much illicit selling; Saturday night and Sunday selling (17959a-17968a; 17975a). Favours prohibition; no compensation; liquor cancer in body politic (17969a-17974a). Liquor absolutely injurious in any quantity; of little use as medicine injurious in his own practice (17976a-17986a).

**FISHER, WALLIS, of Toronto, Carpenter.....Page 1182**

Scott Act broken in Simcoe (18127-18133a). License law badly enforced in Toronto; Saturday night and Sunday selling, minors intoxicated in sight of police (18134a-18142a). Favours prohibition, conditional compensation (18143a-18149a). Liquor causes loss to wage-earners (18150a-18167a).

**FLEMING, ROBERT J., Mayor of Toronto.....Page 571**

Drunkenness decreasing, result of work of various organizations, improved license laws, and greater enlightenment of the people (9553a-9555a). Number of licenses reduced, existing number and conditions (9557a-9568a; 9638a-9644a). Favours prohibition; advocates Maine law; would not interfere with private importation just now; license unwise not wrong; would place duty on liquor imported for private consumption (9569a-9580a; 9585a-9586a; 9608a-9613a). Would let Government passing act enforce it fully (9581a-9584a; 9626a-9629a; 9633a-9637a; 9666a-9667a). Arrests for drunkenness decreased; due partly to police, partly to diminished drunkenness (9587a-9589a). Beneficial effect of new police instructions (9590a-9591a). Non-enforcement caused Scott Act repeal (9592a-9594a; 9596a-9598a; 9524a-9525a; 9630a-9632a).

**FLEMING, ROBERT J.—Continued.**

Public sympathy with Scott Act (9595a). Opposed to compensation (9614a; 9651a). Favours saloons (9615a-9623a). Intemperance and poverty (9645a-9646a). Liquor traffic injurious to business (9647a). Prohibition would be beneficial (9648a-9650a). Fiscal difficulty would right itself; luxuries might be taxed (9652a-9658a). Local option in Ontario satisfactory (9659a-9661a). Content with present License Commissioner system (9662a-9665a). Present licensees respectable, large number abstainers (9664a).

**FRIZZELL, REV. WILLIAM, of Toronto, Presbyterian Minister.....652**

In city 11 years, on Executive Dominion Alliance, convener of Synod committee on temperance (10786a-10792a). Drunkenness, decreasing, why (10793a-10799a). Reduction of license system could be extended; proper officers wanted to enforce the law; politics interfere with appointments; official connection with issue of licenses (10800a-10810a). Favours total prohibition; no existing prohibitory law sufficiently stringent, smuggling would be attempted, but could be controlled; Ontario and the Presbyterian church ready for such enactments; Maine no criterion for Canada; expenditures would be less (10811a-10881a; 10885a-10938a). Misery and suffering resulting from drink (10882a-10884a)

**GAVILLER, ARCHIBALD C., M.D., of Grand Valley.....Page 1092**

Resident of Grand Valley, County of Dufferin, during Scott Act (16764a-16766a). Scott Act, no effort to enforce; why, strange charge against the police magistrate, Act repealed (16767a-16782a; 16790a-16791a). Favours prohibition of traffic for Dominion (16783a-16789a; 16831a-16834a; 16873a-16887a). Liquor injurious (16792a-16793a; 16808a-16830a; 16841a-16861a). Local option satisfactory (16794a-16807a; 16835a-16840a; 16862a-16872a).

**GOODERHAM, GEORGE, of Toronto, Distiller.....Page 958**

President of Gooderham and Worts, distillers, established 1832 (15086a-15091a). Sketch of firm; growth of out-put; effect of smuggling, consumption of grain, cattle feeding, etc.; Government collection; effect of ageing laws; certain effects of prohibition (15092a-15105a; 15202a-15217a). President Bank of Toronto (15093a-15096a). Distillers objections to ageing law were laid before government, by petition and otherwise (15097a). Statistics of cooperage, bottling, repairs, trunkage, etc. (15106a-15113a; 15185a-15186a). Plant supplied to meet government requirements, one distillery went down (15114a-15120a). Approves license system in Toronto, fewer houses would be injurious; illicit places undesirable, no supervision over them as over licensed houses; thinks there might be more houses without deleterious results, but disapproves indiscriminate licensing. Moderate use is right; abuse had bad effect. Certain restrictions good (15114a-15149a). Liquor traffic not materially responsible for disorder and crime; people get into trouble from bad habits and take to drink afterwards; laziness the chief cause (15150a-15155a). Licensed trade does not demoralize community, illicit trade does; distinction between illicit and legalized trade; responsibility for abuse entirely individual; why restrictions are advisable (15156a-15173a; 15178a-15184a). Scott Act did not reduce sales; repeal in interest of community (15174a-15177a). Amount and value of stock and capital (15187a-15197a).

**GRASSETT, HENRY J., Chief Constable of Toronto.....Page 580**

Chief constable 7 years (9698a-9700a). Licensed trade concentrated (9701a). Statistics of arrests do not show ratio of increase or decrease. Has made no comparison with other places. Would expect Portland, Maine, to show less drunkenness (9702a-9716a). Regulation allowing police to discharge

GRASSETT, H. J.—*Continued.*

drunkards works well (9717a-9720a). Liquor traffic adds to other offences, prostitution, larceny, etc., successful criminals must be sober (9721a-9723a; 9739a-9743a). Houses of ill-fame; how dealt with; Toronto would not stand toleration; effects of suppression (9724a-9726a; 9732a-9738a; 9764a-9765a). Small illicit sale; "the growler" on the island (9727a-9729a; 9759a-9762a). Liquor and poverty (9730a-9731a). Violated law demoralizing (9744a). Police help license officials (9745a-9746a). Opposes prohibition; public sentiment not ripe, would need special officials, favours compensation (9747a-9752a). Special treatment wanted for inebriates (9753a-9756a). Good effect of prohibitory clauses of License Law (9763a).

GREEN, JOHN, Toronto, Governor of jail. . . . . Page **597**

Governor 2 years (9991a-9992a). Decrease in committals (9996a). Success of labour test in jail (9997a-9998a). Presents statistics of drunkenness; labour test caused decrease (10000a-10001a). Present system of treating habitual drunks useless; alcoholism a disease; remunerative labour to keep families wanted; enforced idleness bad (10004a-10005a). Reduced number of drunkards due to temperance work and fewer licenses (10006a-10011a). Evil of treating system; should not sell by glass, or for consumption on premises (10012a-10013a). Idleness and drinking causes of crime (10014a-10015a). Juvenile crime, its causes (10016a-10017a; 10031a). Liquor and crime, their connection (10018a-10019a; 10032a-10033a). Favours prohibition, with some compensation to licensees (10020a-10022a). Female inebriety; its causes; too much running on the street (10029a-10030a).

GURNEY, EDWARD, of Toronto, Stove manufacturer. . . . . Page **962**

Iron founder, large employer (14624a-14628a). No trouble from intemperance amongst the men (14628a-14636a). License law well enforced; drunkenness reduced during recent years; public sentiment at work (14637a-14642a; 14652a-14656a). Prohibition thoroughly impracticable; else would favour it (14643a-14647a; 14650a). High license has tendency to create detective agency (14645a). Prohibition in Maine, liquor obtainable; good citizens laughed at law (14648a-14649a). If public opinion strengthened, good results might come of prohibitive law (14651a).

HAZARD, THOMAS, Mimico, Superintendent of Victoria Industrial School. Page **587**

Nature of school, the scholars, their nature, education and disposition; how received and maintained, liquor in relationship to the scholars (9817a-9867a). Favours prohibition (9838a-9848a).

HEAKES, SAMUEL R. R., of Toronto, Carpenter, etc. . . . . Page **601**

Drinking decreasing owing to improved condition of the labouring classes; chief cause of drinking, poverty induced by uncertain employment, and small wages (10037a-10038a; 10083a-10084a). More vigorous enforcement of the license law, and fewer saloons helped with mission work and labour organizations (10041a-10051a). Prohibition would not work (10052a-10096a; 10098a). Labouring classes will gladly support anything to reduce the evils of intemperance, and sales of intoxicating liquors (10053a). Scott Act generally a failure (10054a-10061a; 10090a-10095a). People did not support it (10074a-10076a). Destroyed business (10077a-10079a). Prohibition requires action besides sentiment (10062a-10064a). Fewer houses less temptation (10065a-10066a). Anti saloons (10067a-10070a). Favours compensation (10071a). Favours Gothenburg system (10080a-10082a; 10085a-10087a). Attempt to stop treating at Halifax (10088a-10089a). Saloons depreciate property in vicinity, has no use for them (10099a-10106a). Hotel accommodation poor under the Scott Act (10107a-10108a). Law respecting minors not enforced, should be more stringent (10109a-10110a). Advocates higher license (10111a). Local option not workable (10112a-10113a).

**HILBORN, ELI H., of Toronto, Salt Manufacturer. .... Page 1099**

President Ontario Salt Company, Kincardine, County of Bruce, former residence Uxbridge (16888a-16892a). Scott Act at Uxbridge was not an unmitigated success; badly enforced; worse in Cannington; representations to Government useless, trials under the Act; people got tired; and voted repeal to escape wrong (16893a-16911a; 16929a-16935a). License Act fair at Toronto (16912a-16918a). Favours prohibition, licensing wrong (16919a-16921a; 16946a-16966a). Higher license greater sale, more difficult to deal with; would rather make trade disreputable (16922a-16926a). No compensation (16927a). Non observance of law at Kincardine, firm only employ temperance men (16936a-16945a).

**HOLLENRICK, H. J., of Toronto, Dry goods Merchant. .... Page 1153**

Lived in Milton, Halton County, during Scott Act regime (17663a-17668a). Scott Act was not effectually carried out; liquor obtainable, enforcement impossible; left with temperance men; repealed owing to politics (17669a-17682a; 17694a-17739a; 17751a-17778a; 17791a-17794a). Prohibition pledge ruined an election (17683a-17693a). Drunkenness prevalent in Toronto (17740a-17747a). Favours light liquors (17748a-17750a). Favours prohibition backed by public opinion; no compensation (17779a-17783a).

**HORTON, ALBERT, of Toronto, Stenographer. .... Page 970**

Observations in Kansas, Nebraska, Iowa and Minnesota as acting secretary to the Commission during the tour in the Western States, showing how the prohibitory laws are broken, and comparing high license with prohibition, pages 970 to 988.

**HOWLAND, W. H., of Toronto, ex-Mayor. .... Page 879**

In milling and commission business, also connected with financial companies. President Ontario Branch of Dominion Alliance (14124a-14125a). Foundation of a prohibitive bill drawn, whether by Alliance or not can't say (14126a-14128a). Favours prohibition as an equitable measure to include manufacture and sale (14129a-14133a). Intention of Maine Act originally was to prevent all importation; it was an equitable law and weakness has arisen from not being equitably enforced owing to Federal law. Law has been sustained despite the opposition of both political parties (14134a-14139a; 14177a-14180a). Maine making experience for Canada (14140a; 14259a). Other similar laws in Bessbrook, Pulman, etc. (14141a-14156a). Fewer saloons improved Toronto; reduced saloons means reduced drunkard producing agencies; enforcement of law helped in improvement; enforcement dependant on officials; officials depend on public; careless people equally careless officials (14159a-14169a; 14343a-14349½a). Votes for Scott Act shew people favour prohibition; again, repeal votes show they do not want law on Statute book that is not enforced; laws expected to work themselves. In Halton temperance organization, ceased work among young and Scott Act was repealed because people weren't educated. Nobody to blame but themselves (14167a; 14170a-14176a; 14350a-14351a). Anti compensation, licenses to sell are terminable yearly, showing fleeting character of business; brewers and distillers have notice, being only licensed from year to year; business is terminable at the will of the people; Ageing law originated with distillers; distillers may have to be considered in light of special legislation; Government may have complicated simple situation; if bargain exists with distillers it must be kept (14181a-14190a). Fiscal questions; ability to pay taxes dependent on wealth of community; cost of workingman's beer; country's annual outlay in drink \$50,000,000 as much wasted as if thrown into sea; favours direct taxation; Quebec and taxation, there would be kickers. Opposed to single tax on land; would ascertain farmers and wage-earners' income and tax all above that line (14191a-14206a; 14283a-

**HOWLAND, W. H.—Continued.**

14307a; 14333a-14335a; 14387a-14394a). Barley could be used for feed as cheaply as anything else; cause of low prices in barley; stock and fruit would supply place of malt (14207a-14221a; 14280a-14282a). Production of hops small, no exportation; best hops imported (14222a-14225a). More or less smuggling to be expected under prohibition; at present inducement small, but profits great; Quebec now as bad as could be expected. Force in smuggling must be met by force; some few would want punishment and would not like it (14226a-14229a; 14274a-14279a). Maine statistics misleading; as regards murderers and drunkards; less severity of treatment; comparison between Portland and Toronto requires consideration; statistics for drunkenness depend upon amount of enforcement of the law; all the rest of the country at war with prohibition in Maine; Portland an outpost under incessant fire; Bangor seaport but enforcement marvellous; prohibition reduced graver crimes (14230a-14244a; 14351a-14386a; 14394a-14400a). Scott Act results satisfactory; reduction in committals (14245a-14248a). New Hampshire in hands of party who disgrace law; politicians working against convictions; actions inutile; so with prohibition; still less liquor sold; drunkenness and crime reduced; more politics and party than temperance, elections run on other issues; no successful party formed on only one plank; Maine prohibition party great mistake, won't work; genuine political parties "radical and conservative" working in circles (14249a-14258a). True reforms carry whole country, so will prohibition; Quebec and British Columbia will fall into line; both political parties will favour prohibition (14260a-14263a). New Hampshire hopeful, Maine successful and standing; Americans realize liquor trade as danger, it commands elections, hence corrupt government of cities; newspapers create false impression about prohibition, but it is coming; United States press merely monetary undertaking, so is Canadian largely (14263a-14270a; 14338a-14341). Religious Canadian press represents popular sentiment and supports prohibition; secular press boycotts prohibitionists who have to make sacrifices (14271a; 14308a-14321a). Prohibition opposed to money interests; prohibitionists form only check to prevent saloon keepers having control in Canada as in New York (14272a-14273a). Effects of liquor traffic as seen in industrial schools, missions and prisons; liquor men not generous (14322a-14332a; 14335a-14337a). Abolish saloons (14342a).

**JAFFRAY, ROBERT, of Toronto, Gentleman.....Page 738**

His public positions (12182a-12185a). Would favour prohibition, did time, circumstances, and conditions admit of successful enforcement. Temperance people should not put legislation on Statute-book ahead of public opinion; temperance advancing, legislation, Ontario and reduction of number of licenses assisted (12186a-12191a; 12193a; 12197a-12200a). Compensation in case of legislation taking immediate effect (12192a). Favours disqualification of premises on repeated conviction (12194a-12195a). Illicit traffic small, brewers shut that down (12196a). Plebiscites not true guide to public opinion, more than sentiment wanted; geographical influences (12201a-12205a). Liquor trade inimical to economy (12206a-12225a).

**KEEFER, Rev. B. B., of Toronto, Methodist Minister.....Page 1112**

Concurs in deliverance of Methodist Conference (17108a-17110a). Formerly agent of the Dominion Alliance (17111a). Prohibitionist from conviction; seeing defective embodiment of principle in law and ineffective enforcement has disappointed but not converted (17113a). Scott Act never was adequate answer to the demand for prohibition; only way of polling people on prohibition; as such had value (17113a). Benefits of Scott Act educational, outlawed traffic, harmonized pulpit teaching and treatment of traffic; believed law would degrade traffic and bring it into disrepute, produced decreased consump-

**KEEFER, REV. B. B.—Continued.**

tion and crime. Act was defective in operation ; officers were unsympathetic, and public opinion ; difficult to obtain evidence, fines were taken away and misapplied ; terrorism arose (17114a-17121a ; 17158a-17165a). Repealed ; failed to realize expectation of people (17122a). Kept in force in Maritime Provinces ; because system is in the hands of municipalities, and the deep seated temperance sentiment (17123a-17128a). Anti license ; "sooner have liquor traffic as we have houses of prostitution" (17129a). No sympathy with the condition of facts in Charlottetown under ineffective regulation (17130a-17135a ; 17150a), Scott Act in Charlottetown better than present system ; distrusts their statistics (17136a-17149a). Scott Act in Moncton, New Glasgow, Pictou, Truro, saw no open sale ; 12th of July advertisement in Moncton (17150a-17157a).

Recalled ..... Page **1146**

Though violation of the law in Maine is general, his opinion in favour of prohibition was confirmed ; no one not connected with traffic advocates the repeal of the law (17552a-17553a).

**KELSO, J. J., of Toronto, Guardian of Dependent, etc., Children..... Page 719**

His position and duties (11890a-11895a ; 11910a-11911a ; 11915a-11924a). Neglect of children arising from liquor ; relations of idleness, drink, neglect, crime and cruelty (11896a-11901a ; 11925a). Steady decrease in drunkenness, growth in temperance (11902a-11905a). Women and whisky (11906a-11926a). Considerable illicit selling ; Saturday night and Sunday well observed (11907a-11909a). Favours prohibition as a last resource ; prefers other methods of controlling drinking (11912a ; 11927a-11930a). Too many licensed places ; hotel licenses cover drinking shops (11913a-11914a).

**KENNEDY, WARRING, of Toronto, Dry Goods Merchant.....Page 1127**

License law fairly carried out (17267a-17272a). Favours prohibition with manufacture for home consumption, favours compensation ; country would be enriched ; fiscal difficulties not over production but under consumption (17273a-17286a ; 17294a-17304a). Prefers employing temperance men (17287a-17293a).

**KETTLEWELL, REV. WILLIAM, of Paris, Methodist Minister.....Page 1083**

Formerly in Norwich, County of Oxford, and Oakville in Halton (16627a-16630a). Concurs in deliverance of Methodist Conference (16631a). Favours prohibition. No liquor for sacramental purposes, no compensation (16632a-16635a ; 16683a-16685a ; 16698a). Liquor traffic greatest hinderer in pastoral work, causes suffering and misery (16636a-16637a). Sobriety growing (16638a). Scott Act a failure but educated ; his experiences, Saturday afternoon in Oakville (16639a-16646a ; 16681a-16682a). Repeal due to political compact in 1887 non enforcement due to adverse sentiment (16647a-16680a ; 16686a-16697a).

Letter denying political compact statement, page 1087.

**KINTON, FLORENCE, Salvation Army, Toronto..... Page 1088**

On staff of *War Cry*, formerly in charge of Drunkards' Home for women (16699a-16701a). History of Home and statistics, strength of love of liquor, becomes a disease ; agrees with Inspector Stephen (16702a-16712a ; 16724a-16734a). Children's Shelter ; suffering from intemperance (16713a-16717a). Immorality and intemperance (16724a-16725a). License law fairly observed, easy of evasion 16718a-16719a). Canada more temperate than England, specially the women (16720a-16722a). Favours prohibition (16723a).



**LAUGHLEN, ARTHUR**, of Toronto, Superintendent of the House of Industry.  
Page **607**

Nature of House of Industry, its inmates, how admitted, supported by voluntary contributions, particulars of indoor and outdoor relief, composition of the Board of Managers, poverty and intemperance, the relationship indefinable (10116a-10146a). Casuals; the labour test; nearly all drink, or are addicted to various kinds of intemperance (10147a-10168a). Anti saloons; favours reduction of traffic and compensation (10169a-10173a). Prohibition effectively enforced would reduce poverty; effective enforcement the trouble (10174a-10177a). Reduction of licenses better than prohibitory law as carried out (10178a; 10182a-10186a). Favours further reduction of licenses and higher fees (10179a-10181a).

**LEE, ARTHUR B.**, of Toronto, Chairman of the Board of Harbour Commissioners.  
Page **924**

Board how constituted; its duties (14584a-14587a). Little drunkenness amongst sailors; less than formerly (14588a-14591a). Iron-founder and hardware merchant (14591a-14593a). License law very well enforced; police efficient, people generally more temperate than before (14594a-14596a). Foundry moulders pretty hard lot for liquor; not much change; over indulgence causes loss of time after holiday (14597a-14601a; 14612a-14623a). Scott Act not very successful; liquor sold in taverns (14602a-14605a; 14608a-14611a). Opposed to prohibition; could not be enforced; large majority would be against it (14606a-14607a).

**LOGAN, MATTHEW**, of Toronto, Deputy Warden of Central Prison..... Page **611**

Deputy Warden 17 years (10189a). Number of prisoners, nature of hard labour, ages of prisoners (10190a-10204a). Presents statistics of number of prisoners and number of temperate (10205a). Statistics of intemperance; short term prisoners in Central (10234a-10235a). Short term imprisonment no good to habitual drunkards; special institutions wanted; cannot reform an idle man (10214a-10219a; 10236a-10243a). Scott Act carried out where people were honest enough, repealed not wanted (10252a-10254a). Smart cracksmen sober men (10219a-10223a; 10267a-10289a). Favours prohibition if practicable, doubts practicability; difficult to enforce; opposes compensation (10225a-10233a; 10244a-10251a). Amount of crime fluctuating (10255a). Cannot assign cause (10257a-10258a). Less liquor better for the community; effects of Crook's Act (10256a). Crime probably less per 1000 of population (10259a-10262a). Formerly Chief of police in Hamilton (10264a-10266a). Lesser crimes result of liquor (10268a-10271a). Anti billiard halls with liquor licenses (10272a). Children attracted by saloons (10272a: 10285a). Anti saloons (10273a). Statistics show decrease in crime (10274a-10278a; 10282a). Crime increasing in the United States (10283a-10283½a). Liquor traffic injurious to morals (10285a). Saloon cannot be improved whilst liquor and gambling remain inside (10286a). License system and prohibition, broken law as bad as saloons (10287a-10288a). Idleness and liquor, their relationship; causes of intemperance (10289a-10291a). Liquor laws generally broken (10292a). Statistics of drunkenness under Scott Act no criterion of enforcement (10293a-10298a).

**LOGAN, ROBERT**, of Georgetown, Farmer..... Page **946**

Farmer near Georgetown, County of Halton (14858a-14862a). Extensive grower of barley; fluctuation in prices in ten years; never shipped to United States, sells to middlemen; mostly used in Canada (14863a-14874a). Cessation of malting would seriously affect price of coarse grains, better for cattle feed; barley raises most money on farm; could substitute no other crop (14875a-14882a; 14897a; 14917a-14922a). Grows hops, sells to brewers (14875a-14877a; 14894a-

**LOGAN, ROBERT—Continued.**

14896a). Scott Act a dead failure ; terrible drunkenness ; young boys drunk ; drinking and false swearing (14888a-14893a ; 14906a-14910a). Prohibition would mean swamp whiskey (14911a).

Recalled.....Page **957**

Scott Act in Halton lame article ; people had done with it.

**LUCUS, JOHN S., of Toronto, Temperance Hotel Keeper.....Page 1167**

Kept temperance house 7 years (17883a-17893a). Scott Act in Simcoe effected great good ; repealed ; left to temperance people to enforce ; troublesome and costly (17894a-17903a). License law well enforced (17904a-17905a). Favours prohibition of the traffic (17906a-17910a ; 17920a-17922a). Temperance hotels remunerative but temperance people will not patronize them (17911a-17917a). Would do away with hotel licenses (17918a-17919a).

**MASON, J. HERBERT, of Toronto.....Page 908**

President Canada Permanent Loan and Savings Company (14439a-14441a). Effect of liquor traffic on business interests generally (14442a-14443a). Prohibition would cause temporary idleness of immense capital ; no market for grain ; would affect real estate market and revenue and excise duties (14444a-14446a ; 14478a-14491a). Reduced cost of administering justice would offset Provincial revenue losses (14447a-14448a). Capital, investment, and field of witness's company (14449a-14452a). Beneficial effect of prohibition doubtful ; impossible of enforcement ; and inadvisable. Argues from Scott Act experiences (14453a-14455a ; 14475a-14477a). License law fairly observed ; drinking decreased of late years owing to change in public sentiment ; changes in law have been beneficial (14456a-14458a ; 14470a-14474a). Favours compensation (14460a ; 14492a-14498a). Wine in France ; little intoxication (14461a-14463a). Beer drinking in Germany (14464a-14466a). Drunkenness in England (14467a-14468a). Would encourage use of light drinks (14469a). Moral effects of traffic ; injurious by excessive use. Approves all restrictions ; use of intoxicants dangerous (14499a-14508a). Fewer houses advisable (14509a-14511a). No present attraction for capital from liquor to other manufactures (14515a-14521a).

**MASSEY, H. A., of Toronto, Manufacturer.....Page 882**

President Massey Harris Co. (13540a). Formerly of Newcastle, Ont., large employers of labour (13542a-13547a). Men mostly of sober habits ; one drinker loss to many (13548a-13554a ; 13586a-13587a). Improvement in habits ; fewer places less temptation ; condemns saloons ; wants none near works (13555a-13561a ; 13601a-13607a). Scott Act in Northumberland and Durham ; attempt at defiance ; but less liquor sold ; geographical difficulties (13594a-13596a). Favours total prohibition ; would allow cider for domestic use ; not for sale ; revenue difficulty ; would submit to direct taxation (13569a-13578a ; 13581a-13584a ; 13597a-13600a ; 13631a). Prohibition practicable if citizens are loyal ; easier to enforce total than partial prohibition (13591a-13593a). License law well enforced (13579a). Wants best men licensed for good of society (13585a). Prohibition in Maine ; liquor sold but law beneficial (13588a-13590a). Effects of traffic on trade generally ; on crime ; prohibition would prove beneficial (13608a-13625a ; 13627a-13630a). Anti compensation (12626a). Objects to license on principle ; and to revenue from traffic ; would enforce license as long as liquor is allowed (13632a-13639a). Failing prohibition wants high license ; very high and all necessary restraints ; would disqualify premises (13640a-13647a). Output and chances of traffic changes (13649a-13653a).

**MASSIE, JAMES, Toronto, Warden of Central Prison.....Page 1049**

Warden 13 years, formerly of Guelph (16206a-16209a). Particulars and statistics of prison; proportion of temperate (16210a-16236a; 16263a-16280a). Favours institutions to make habitual drunkards work; their weakness in temptation; complete separation only effectual (16237a-16240a; 16290a-16291a). License Law fairly well administered (16241a-16243a). Prohibition enforced would prove beneficial; great difficulties in enforcement; still might be enforced as well as other laws; if enacted people would become obedient (16244a-16249a; 16257a-16259a). Scott Act was imperfect, no machinery for enforcement; Dominion Act thrown on local government; only adopted in isolated counties; repealed because of inefficient enforcement (16250a-16252a). Dangers of saloons, greater resort of criminal classes (16253a-16256a). Causes of criminality, neglect of children, idleness, intemperance, sensuality (16260a-16262a; 16281a-16288a). Temperate men more serious criminals (16284a-16289a).

**MILLIGAN, Rev. G. M., of Toronto, Presbyterian Minister.....Page 1159**

Pastor St. Andrew's Church 17 years (17795a-17798a). Prohibitory clauses of the license act fairly carried out (17801a-17807a). Drinking, not drunkenness, no crime *per se*; persons not needing liquor should abstain; moderate drinking; use of liquor in Scotland an evil; would wipe out all saloons and treating; use of wine in France, Germany, and Italy; Legislation making a crime of what is no crime, will beget irreverence for all law, all around. Prohibitory law unjustifiable; no room for exercise of Christian charity; Canadians do not want liquor; other vices equally bad (17808a-17832a; 17838a-17860a). Little distress in church from liquor; still liquor traffic cause of great deal of crime and poverty; argument for prohibition (17833a-17835a). Moderate drinking and heredity (17836a-17837a).

**MORRISON, CURRAN, of Toronto, Clerk to the Police Court.....Page 584**

Clerk 4 years (9766a-9771a). Decrease in arrests; presents statistics shewing same (9772a-9784a). Intemperance and crime (9785a-9791a). Intemperance among women (9796a). Favours prohibition of ardent spirits; hard to enforce (9792a-9795a). Juvenile crime, its causes (9797a-9780a). General improvement of late years (9802a-9804a). Dipsomania hospitals wanted (9805a-9810a). Drunkenness decreasing; fewer places less temptation (9811a-9816a).

**MOWAT, J. GORDON, of Toronto, Journalist.....Page 1055**

Editor *Canadian Magazine* (16292a-16293a). Student of liquor question (16294a). License law might be improved, but works fairly well; best system of managing traffic. Free liquor might work satisfactorily, but would not like to see experiment tried; tried in parts of Switzerland and Belgium (16295a-16302a; 16386a-16395a). Results of reducing number of licenses in Toronto, 1st, more drunkenness, then less: thinks better class of licensees deserve credit (16303a-16305a). Considerable illicit selling in bygone years (16306a-16307a). Formerly Secretary Liberal Temperance Union; objects of Union; experiences of Scott Act (16308a-16310a; 16370a-16373a; 16401a-16415a). Scott Act in Halton, strict, people in earnest, Oakville best administration in Ontario, Milton great deal of drunkenness, almost open sale, also in Georgetown. Scott Act did not materially increase drunkenness in County west of London; modes of breaking law, general disregard to law (16311a-16318a; 16323a-16349a; 16359a-16367a; 16373a-16375a). Repealed because failure, also change of decided conviction (16319a; 16350a-16357a). Official laxity varied; in some places earnest endeavours to enforce law (16320a; 16358a). Adoption did not represent views of people; Ontario Government went as far as they dared (16321a). General prohibition would not labour under same disadvantages as Scott Act still (16322a).

**MOWAT, J. GORDON—Continued.**

Growth of temperance sentiment; diminution of drinking (16376a-16380a). Prohibition utterly impracticable, illicit distillation easy, importation might be interfered with at great expense, would retard developement, and kill wine industry (16381a-16385a). Opposes federal tax, though it might have its advantages (16396a-16400a). Scott Act carried by religious intimidation; wicked, unjust and tyrannical laws should be broken (16416a-16423a).

**MOWATT, FREDERICK, Sheriff of Toronto.....Page 639**

Sheriff for city, his duties (10565a-10570a; 10584a). Crime and liquor (10571a-10573a; 10585a-10587a). Poverty and distress arising from abuse of liquor; results on jail expenses (10574a-10578a; 10583a). Produce of jail labour (10579a-10582a). Chronic drunkards and imprisonment (14588a-14593a). Commitments to jail and drunkenness on the decrease (10594a-10596a). Prohibition impracticable at present; would be no improvement on present system (10597a-10600a). Reduction of licenses beneficial (10601a-10604a).

**MACDONNELL, Rev. D. J., of Toronto, Presbyterian Minister.....Page 661**

Intemperance decreasing throughout province, how effected. Prohibition extreme measure, and unnecessary. Small fraction of community intemperate. License law works well, restricts evils. Advocates Gothenburg system. Anti-saloons. Prohibition would induce disrespect of other laws, and be difficult to enforce (10944a-10946a; 10954a-10961a; 10976a-10984a; 11001a-11003a; 11008a-11018a; 11021a-11036a). Misery and suffering arising from drink (10947a-10953a; 10973a). Compensation needs consideration (10962a-10968a). Injurious effects of liquor (10964a). Use and abuse of traffic (10965a-10969a). Effects of parents imbibing; advice to young men and women (10970a-10972a). Liquor and wage earners (10975a). Only *bona fide* hotel wanted, no saloons (10985a-10990a). All liquor legislation practical attempts to remedy practical evils. Restriction good, but might be overdone (10991a-10994a). Well kept bars and low dives (10995a-11000a). Presbyterian churches attitude (11004a-11007a). Evil effect of non-enforced law (11019a-11020a).

**MACLAREN, J. J., LL.D., of Toronto, Barrister-at-law.....Page 854**

Q.C. Chairman of Executive of Dominion Alliance, and of Ontario branch (13835a-13838a). Policy of Alliance contained in resolution submitted to House of Commons, to prohibit importation, manufacture and sale of intoxicating liquors for beverage purposes; House frequently expressed willingness for prohibition; Alliance not pronounced on question of importation for personal use (13839a-13842a; 13847a-13860a; 13917a-13951a; 14091a-14099a). Temperance men not agreed on details of liquor legislation (13843a-13847a). Extinguish the traffic only cure for intemperance (13844a). Temperance people willing to take partial measure at first (13852a-13854a). Complete prohibition more easily enforced than partial measures; every exception opens a door to abuses (13858a). Alliance's prohibition would be to certain extent experimental (13860a). Anticompensation in principle (13861a-13912a). Principles that would apply to other trades would not apply to liquor trade (13864a-13867a). Scott Act reduced consumption of hard liquors; not beer (13914a-13916a). Stringent more enforceable than lax License Law (13952a-13953a). Scott Act why not enforced; officials did nothing; voluntary associations could get no funds; fines were given to municipalities to enforce law, parties had to prosecute at their own expense; alliance tried to get amendments through House of Commons and failed, general feeling of distrust generated with enforcement of law; local jealousies; what was done with fine monies; special act obtained from Ontario government to enforce law (13954a-13978a; 14060a). Travelled widely, observed closely; drink traffic varies in places; Maine and Vermont different from other states (13974a-13984a). Saw

MACLAREN, J. J.—*Continued.*

great deal of drunkenness in France, Germany, Italy and Switzerland (13985a-13987a; 14023a-14024a). License system more enforced in Toronto than anywhere; stricter enforcement better results and conditions; comparatively little Sunday drinking; little breach by licensees; licenses too valuable to risk (13988a-13995a). President Y. M. C. A.; frequent contact with young men; young men and the drinking customs; comparative dangers of hotels and saloons (13996a-14003a). Liquor traffic improves trade for criminal lawyers, policemen, jailers, et al.; injurious to general trade. Loss of earning power of people; many times amount spent in drink (14004a-14008a; 14011a; 14079a-14086a). Great crime producing agency (14009a). Heredity, education and environments (14010a). Prohibition would benefit country commercially, socially, and morally (14012a). Prohibition could be enforced; there would be little smuggling; fiscal difficulties could be met by Finance Ministers (14013a-14015a; 14072a-14078a). Details of act could be arranged (14016a-14017a). Ontario farmers pretty temperate (14018a). Conflict between stringent and lax enforcement of the law in Maine; affairs in Portland (14019a-14022a; 14025a-14030a; 14035a-14059a). Drunkenness and insanity (14031a-14034a). How Toronto houses keep the law (14062a-14071a). The Alliance Prohibition Bill (14087a-14090a).

MCDUGALL, Hon. JOSEPH E., of Toronto, Judge of the County Court. . . Page **578**

Crime and liquor (9673a-9676a). Juvenile crime small; its relation to intemperance (9677a-9678a). Police Commissioner (9679a-9681a). Anti prohibition; sumptuary legislation cannot be enforced; compensation vexed question (9682a-9684a; 9688a-9692a). Drunkenness decreasing; why (9685a-9686a). Broken law very demoralizing (9687a). Violations of license law; whole-sale perjury on both sides (9689a-9691a). Chronic inebriates should have special treatment (9693a-9694a). Favours government sale of liquor; Swedish system (9694a-9695a). Abolish saloons (9695½a).

McMAHON, T. F., M.D., of Toronto. . . . . Page **698**

In County of Wellington before Scott Act (11503a-11509a). Anti prohibition, favours mild liquors and inspection; beer and Bright's disease (11510a-11516a; 11520a-11530a; 11545a-11566a; 11561a-11570a). Scott Act in Halton failed (11517a-11521a). Alcohol and insanity; value of alcohol (11522a-11524a; 11554a-11560a; 11571a-11578a). Anti treating (11525a). Abstinence and health (11532a-11544a). Poverty, distress and liquor (11579a-11584a).

O'KEEFE, EUGENE, of Toronto, Brewer. . . . . Page **729**

In business 32 years, O'Keefe Brewery Co., staff and wages (12030a-12039a; 12100a-12109a). Statistics of output, where sold, and explanations (12040a-12043a; 12070a-12074a). Statistics of barley, malt, hops (12044a-12050a; 12065a-12069a; 12161a). Scott Act, effect on business (12051a). Lager beer vs. beer; statistics; lager beer increasing (12052a-12056a). Prohibition agriculturally injurious, farmers would be at mercy of United States market for barley; no market in England (12057a-12060a). Malt, how affected by change in duty (12061a-12064a). Capital account, prohibition means ruin (12075a-12079a; 12156a-12160a; 12163a-12165a; 12168a-12169a). Temperance growing; lager beer aids more than temperance societies (12080a-12082a; 12120a-12123a). Dunkin and Scott Act shamefully transgressed; trade under Scott Act; strict license law preferable; favours fewer licenses (12083a-12096a; 12124a-12148a; 12170a-12181a). License law fairly lived up to, brewers down on illicit sellers (12097a-12099a; 12149a-12155a). Liquor traffic in relation to trade generally, especially whisky trade (12111a-12119). Moderate and immoderate drinkers (12166a-12167a).

- OGDEN, LYNTHURST, Secretary of Toronto Club..... Page **877**  
 Secretary Toronto Club, Stock Exchange, and Ontario Jockey Club (14109a). Denies that clubs are prolific causes of drunkenness, last places that would promote such offences (14110a-14111a; 14114a). Drunkenness rare at race meetings (14112a-14120a). Prohibition would stop immigration (14121a-14123a).
- ORR, WILLIAM H., of Toronto, Manager "Ætna" Life Co..... Page **590**  
 Connected with Dominion Alliance, Central Lodging House Association, Toronto Coffee House Association, etc., etc. (9868a-9872a). Drunkenness decreased, fewer licenses helped (9873a-9877a; 9886a). Reduction of licenses step in right direction; Toronto below legal limit, result of public sentiment (9878a-9883a). License system best on continent (9884a-9885a). Favours prohibition, would take Maine Act, if could not get better; sale of liquors for beverage purposes morally wrong; would allow use of liquor for arts and sciences; want a remedy for present evil, would not take duty for liquor imported for private use; Government would be wrong in promoting such importation; duty on liquor for arts and sciences, legitimate revenue; importation for private use, question for future years; liquor traffic and houses of prostitution twin evils; no compensation (9887a-9927a).
- Recalled..... Page **619**  
 Statements *re* Central Lodging House and Coffee House, showing statistics and numbers recorded at former as drunk. Claims that when no liquor is legally sold, this class of person can regain sobriety and be restored to usefulness; question of legal sale, particulars of both institutions (10299a-10328a: 10362a-10372a; 10382a-10383). Temperance hotels, their methods and success (10329a-10348a; 10548a 10555a). Sunday orderly in Toronto, prohibitory clauses of act help (10349a-10350a). Morality of moderate use; use and abuse; moderation the initial to immoderation (10351a-10358a). Wants entire prohibition eventually (10359a-10361a; 10399a-10447a). Prohibition in Vine-land, Pullman and New Jersey (10373a-10381a; 10428a-10435a). Scott Act in Ontario repealed on account of 3 year clause, and lack of sympathy; successful in some places; injured by politics (10384a-10423a; 10429a-10430a; 10436a-10438a). Scott Act did not prohibit (10424a-10427a). Local option act marred by 5 year clause (10431a-10434a). Insurance companies and drinkers (10556a-10564a).
- Recalled..... Page **712**  
 Corrects statement that he had said that moderate drinkers always became drunkards.
- Recalled..... Page **877**  
 "Distinctly repudiates" the statement that all moderate drinkers become drunkards (14100a-14108a).
- PATTERSON, REV. WILLIAM, of Toronto, Presbyterian Minister.... Page **1072**  
 Pastor of Cooke's Church; surroundings of church (16473a-16480a). Misery and suffering caused by intemperance, but general improvement all along the line (16481a-16489a: 16510a-16512a). Favours total prohibition including importation for home use. Prohibition worked well, from River Badger to Deloraine, N. W. T.; people coming in broke it down (16490a-16507a). Sunday closing in Derry (16507a-16509a). Action of presbyterian church in favour of temperance (16522a-16529a).
- PEARSON, REV. JOHN, D.D., of Toronto, Anglican..... Page **906**  
 Rector of Holy Trinity (14401a). Finds distress caused by liquor in parish (14404a). License law not faithfully observed, Saturday and Sunday selling (14405a-14409a; 14419a-14426a). Anti prohibition, favours compensation;  
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**PEARSON, Rev. JOHN—Continued.**

advocates self restraint (14410a-14413a). Law not enforced produces evil results; lost respect for Maine law (14414a-14415a). Poverty and domestic distress due to intemperance and improvidence (14416a-14419a). Liquor traffic and pool room no help morally (14427a-14432a). Charitable liquor men (14433a-14434a). Temperance not total abstinence (14435a). Fermented wine required for Holy Communion (14436a-14438a).

**POTTS, Rev. JOHN, D.D., of Toronto.....Page 776**

Secretary of Education for Methodist Church at Victoria University, his former pastorates (12685a-12695a). Drinking less than formerly, numerical reduction of licenses assisted (12696a-12700a). License law defectively administered, officials let things slip (12701a-12704a). Total prohibition wanted, no importation for private use; evils from traffic; difficulties of prohibition; favours compensation; Scott Act not well managed by officials (12705a-12735a; 12741a-12747a). Sunday in Ontario and Toronto (12736a-12740a). Adoption and repeal of Scott Act no criterion for prohibition; Scott Act only half a loaf; Maine law no criterion for Canada; some prohibitionists did not vote Scott Act (12748a-12765a). Methodist church only church to legislate on liquor traffic (12769a-12773a). Scott Act left to temperance people to work; municipal bodies were apathetic; reign of terror in places (12774a-12788a).

**PRESTON, WILLIAM T. R., Toronto Provincial Librarian.....Page 1130**

Evidences of liquor under Scott Act (17306a-17313a). Denies Rev. W. Kettlewell's statement of compact in Halton (17314a-17319a). Supported Scott Act saw apparent failure of temperance people to support it; Government tried to enforce it (17320a-17324a). Experiences of broken laws in Iowa and Kansas; the demoralizing effect (17325a-17466a; 17498a-17501a). License better law (17447a-17482a).

**RICHARDSON, CHARLES GORDON, of Toronto, Lecturer in Chemistry at Ontario Veterinary College.....Page 751**

Formerly consulting chemist to Brewers' Association of Canada. Amazed at misstatements of scientific truth in temperance literature regarding alcohol. Condemns general use of distilled liquors as beverages; distinction between distilled and fermented liquors; Scientists and alcohol in 1840; Baron Liebig's theory and conclusion formed under crude conditions; French chemists experiment and condemn alcohol as food; Prof. W. B. Carpenter calls alcohol a brain poison, but changes his views; Drs. Anstie, Dupré and Thudichum refute the French societies; Experiments at Guy's and Westminster Hospitals; alcohol classed apart from other stimulant narcotics; difference between narcotism and stimulation; drunkenness scientifically considered. Men who must abstain. Treating how and why injurious, outrages the safe guide, the natural palate. Alcohol *per se* a poison like salt, mustard, tea, and coffee. Heredity. Changes in drinking customs, "as sober as a judge." Public sentiment unaided by law wrought improvement (12405a-12407a; 12512a-12524a; 12527a-12528a). Chemical action of alcohol and composition of sundry liquids (12416a-12436a). Platform of Liberal Temperance Union; its composition (12406a-12415a; 12530a-12539a). Effects of liquor on men; differentiations of capacity; caused by nature of employment or exposure. Moderate use conduces to longevity; advocates use of light wines, adulteration known to ancients; Pasteurized grape syrup; Schutzenbergers' experiments (12452a-12454a; 12562a-12567a). Oxford and Cambridge training diet includes beer (12455a). Effects of alcohol on different men, alcohol as alcohol does not exist in fermented liquors; amount of alcohol extracted no guide to physiological action of any unfermented liquor (12456a; 12468a-12469a). Heredity, alcoholism and insanity; question of statistics 12457a-12464a). Whisky vs. beer and vice

**RICHARDSON, CHARLES GORDON—Continued.**

versa. Two year old whisky better (12465a-12467a; 12516a). Alcohol in the British army; no total abstinence expedition. Experience of arctic explorers (12471a-12472a; 12488a-12491a). When to drink (12473a). Increase of intemperance in France, its causes (12474a-12475a; 12558a). Modern scientists favour moderate use (12476a). Scott Act in Peterborough, Halton and Ontario; spasmodic efforts at enforcement; results disastrous; worse than open sale, not enforced despite every effort (12477a-12485a; 12540a-12549a; 12559a-12560a). Anti prohibition, favours compensation (12486a-12487a). Liquor traffic necessary, but mode of conducting contains imperfections; wipe out alcohol, wipe out one of the greatest blessings conferred on mankind, anti perpendicular drinking; liquor traffic a daily need (12492a-12500a; 12506a-12515a; 12525a-12526a; 12561a). Mistakes in regulating traffic (12501a-12505a). Prohibition would lead to smuggling, alcohol made by freezing (12550a-12551a). Distillery and moonshine whisky compared (12552a-12557a).

**ROSS, HON. GEORGE W., of Toronto, Minister of Education..... Page 811**

Formerly M. P. for 11 years (13263a). Moral effect of liquor traffic, poverty and degradation attendant on the excessive use of alcohol. Advocates total abstinence. License aims at reduction and regulation. Believes prohibition effective if enforced. Scott Act beneficial where enforced. Dunkin Act in Essex. Social conditions would be improved by prohibition. Agriculturists most temperate class. Prohibition commercially might cause temporary, but not serious, derangement. Does not fear effect on revenue. Sober people can best stand taxation. Effective prohibition would be beneficial. Stringent license law preferable to loose prohibition. Report of Mr. Manning and Judge Davis on Maine. Would not interfere with home made wine or cider. Question of private rights (13265a-13282a; 13289a-13294a; 13305a-13309a; 13313a-13317a; 13345a-13347a). Ontario license law intended to promote temperance (13283a-13284a). Growth of temperance sentiment (13288a). Effective legislation requires intelligent, educated and substantial public opinion. Ineffective law evil in results. Present outlook for prohibition encouraging (13295a-13301a). Takes ground against compensation and direct taxation, but Queen's Government must go on (13302a-13304a). Abstainers in Ontario (13310a-13312a). Repeal of Scott Act shows license law preferred to ineffective prohibition; no criterion for Dominion prohibition with Dominion machinery (13318a-13322a; 13338a-13344a; 13348a-13350a). Question of failure of prohibition in Maine; not discouraging; officers take strange liberties with laws (13323a-13337a; 13351a-13355a).

**SCHOFF, ELGIN, of Toronto, Barrister..... Page 682**

Resident since 1875; practised in Georgetown, Halton; prosecuting attorney under Scott Act (11237a-11240a). Lack of proper machinery to enforce Scott Act caused disgrace, and failure, hence repeal. Act was educative (11241a-11246a; 11343a-11350a). Repeal no weight against prohibition but against half measures (11247a-11250a). Prosecution under Scott Act; perjury, consumption and crime (11251a-11270a; 11302a-11319a; 11336a-11339a). Effects of drink traffic on trade and crime (11271a-11273a). Favours complete prohibition; no such law existing, Canada should take lead (11274a-11301a; 11327a-11335a; 11340a-11342a; 11351a-11439a). Temperance sentiment increasing, why (11320a-11323a). Temperance Societies and Scott Act (11324a-11336a).

**SCOTT, REV. WILLIAM I., of Toronto, Methodist Minister..... Page 1187**

Favours prohibition, no importation for sacramental use, no compensation (18218a-



SCOTT, REV. WILLIAM I.—*Continued.*

18224a; 18237a-18245a). Dunkin Act in Peterborough beneficial (18225a-18235a; 18241a). Scott Act in Simcoe, not strictly kept (18236a-18240a). Evils of drink traffic (18246a-18254a). Lack of power to enforce caused failure of both (18255a-18264a).

SCRIPTURE, THOMAS N., of Toronto, Insurance Agent.....Page **788**

His companies; J. P. for Northumberland and Durham (12789a-12793a). Scott Act hard to enforce in those counties, associate magistrates hard to obtain, public sentiment weak, difficulties with witnesses, perjury and short memories. Supported Scott Act. Magisterial reminiscences (12794a-12813a; 12835a-12838a; 12840a-12862a). Anti license, system morally wrong, restrain traffic but no revenue (12814a-12818a). Favours prohibition, home manufacture dangerous, would take direct taxation (12819a-12827a). Sunday and holiday drinking, too many licenses (12828a-12834a). Drunkenness decreasing (12839a). Other evils than liquor (12863a). Insurance companies, drinkers, and trade (12864a-12875a).

SEWELL, ROBERT, of Toronto, Secretary of Brewing and Malting Company. Page **747**

Secretary 11 years (12332a-12336a). Statistics of barley, malted where they sell, explanations (12338a-12350a). Statistics of hands employed, barrels made, hops used (12351a-12355a; 12388a-12393a). Output increasing, ale taking place of whisky (12356a-12358a). Prohibition would entail ruin (12359a-12360a). Local option produced increased drunkenness in Butler County, Penns. (12361a-12364a). Drunkenness decreasing, owing to growing use of ale; farmers temperate (12365a-12377a). Approves license law and few houses (12378a-12379a). Drinking customs in Lower Canada (12380a). Law well kept, evaded sometimes (12381a-12384a). Capital and estimate of loss in case of prohibition (12385a-12387a). Scott Act, effect on business (12394a-12402a).

SHAYER, H. H., of Dixie, Farmer.....Page **1184**

Sale to minors and drunken men (18179a-18181a). Favours prohibition, no home manufacture, no compensation, grows neither barley nor hops (18182a-18196a).

SMALL, JOHN, of Toronto, Collector of Customs.....Page **669**

Formerly Member of Parliament (11041a). Presents and explains statistics (11042a-11045a). Anti prohibition, favours compensation (11046a-11049a). Smuggling and prohibition (11050a-11052a; 11056a-11073a). Scott Act well enforced (11053a-11055a).

SMITH, GOLDWIN, LL. D., of Toronto.....Page **847**

His degrees (13750a-13751a). Not opposed to temperance but to attempts to enforce temperance or total abstinence by law. Ex-President National Temperance Union, which opposed the Scott Act, advocating good license system with discrimination in favour of lighter beverages. Attempts to enforce license, by-law unjust and ineffectual (13752a-13756a; 13773a-13783a; 13808a-13809a; 13823a-13834a). Scott Act gives tyrannical power to magistrates; allows conviction on hearsay evidence, permits husband and wife to testify against each other; breaks principles of justice and liberty. Repeal caused by failure. Prohibitive law discriminates in favour of stronger drinks and worse liquor. Puts in letter to *Globe* (13757a-13765a; 13803a-13804a). Anti prohibition in principle, can not escape compensation (13766a-13769a; 13802a; 13810a-13815a; 13829a). Ardent spirits accountable for evils in England; light

**SMITH, GOLDWIN—Continued.**

wines in France, beer in Germany (13770a-13772a; 13793a-13795a). Favours any good operative regulations; trade specially dangerous; should be in responsible hands to avoid worst consequences (13784a-13785a; 13816a; 13825a-13828a). Tariff changes and suppression (13787a-13792a). Plebiscite may be carried by religious intimidation, or religious pressure (13796a-13800a; 13825a-13829a). Wine of New Testament defined (13805a-13806a). Disregarded law, its effects (13807a; 13821a). Drinks because he is bad, or bad because he drinks, which; causes of criminality (13817a-13820a). "If prohibition would abolish all drunkenness"; would punish drunkenness (13830a-13834a).

**SNELL, JOHN C., of Brampton, Peel County, Farmer.....Page 1044**

Feeds stock principally; don't grow barley (16115a-16122a). Price of barley, stock raising and dairying (16123a-16127a). Prohibition would affect price of barley and amount grown; no serious loss. Indian corn in Essex (16128a-16155a).

**SNIDER, JACOB H., of Toronto.....Page 1119**

Superintendent of Helping Hand Home and Agent Prisoners' Aid Association (17167a-17169a). Their objects and statistics (17170a-17174a). Liquor as an excuse, criminals and drunkenness (17175a-17179a; 17204a-17211a). Favours prohibition *in toto* (17181a-17193a). License capable of better enforcement (17194a-17200a). Special treatment wanted for habitual drunkards (17201a-17203a). Traffic temptation to discharged prisoners (17211a-17218a). Scott Act in Halton; prefers license (17219a-17231a).

**SPENCE, FRANCIS S., of Toronto.....Page 998**

Secretary of Dominion Alliance, service practically "no remuneration most of the time." Secretary of Council of Dominion Alliance, and of Ontario Branch on same terms (15736a-15745a; 15847a-15848a). Only personally before Commission (15746a-15748a). Presents copy of his prohibitory bill, and explains origin; bill to prohibit importation, manufacture, or sale, except for medicinal, mechanical or sacramental purposes. No such act in force anywhere. No state possesses power to pass such a law. Dominion not ripe for it, but local option proves ripening process (15749a-15466a; 15916a-15918a). License in Halifax (15764a-15771a). Delegalization of trade in Nova Scotia; owing to conditions imposed by law (15772a-15775a; 15862a-15890a). New Brunswick law (15776a; 15891a-15895a). P. E. I. law (15777a-15780a; 15896a-15900a). Local option in Quebec, its character, extent, etc., (15781a-15792a). Plebiscite vote safest gauge of people's views (15793a). Result in Manitoba (15794a). Probably good deal of smuggling under prohibition, prohibition would be difficult to enforce, stricter liquor laws are more effective, no experience of strict prohibition (15795a-15798a). Prohibitory law beneficial where enforced. Grand enforcement in Kansas, law 10 years old. Openly violated where sympathy is against it. Proofs of enforcement in Kansas, statistics (15800a-15810a; 15984a-15988a). Success of prohibition in Dakota and Iowa (15811a-15813a; 15861a). From prohibition to local option and high license in Massachusetts and Connecticut, no statistics (15814a-15820a). Maine absolutely overwhelming proof of effectiveness of prohibition. Occasional lax enforcement dependant on officials; promises statistics (15821a-15846a). His alleged strictures on the Commission, explains report (15847a-15857a; and page 1025). Opposes compensation (15904a). Disposal of distillers' stocks in case of prohibition; would allow exportation or time for consumption (15902a-15914a). Prohibition and abolition of slavery compared, shot and shell only compensation for slavers; so be it with liquor dealers (15915a). Scott Act defective from inception, not wanted, accepted as a compromise, for total prohibition, what ailed it (15919a-15928a); why repealed, convictions (15929a-15941a; 16010a-16031a); was beneficial; reduced crime (15942a-15962a). Fiscal question (15964a-15978a). Smuggling would continue after prohibition (15979a-15983a). Sunday in St. Paul's Minn. (15989a-15991a).

**SPENCE, FRANCIS S.—Continued.**

Experiences with Commission in the States (15992a-16002a). Perjury occurs under Scott Act, as under license; law causes no perjury, violation of law does (16003a-16006a). Presents declaration of principles of Alliance (page 1024a). Toronto's resolution against emasculating Scott Act (page 1025, line 20—16009a). N. W. Territories prohibitory law, its success, decline and fall; broken down by Governor Royal (16032a-16050a), serious charges against members of N. W. T. Legislature (16051a-16071a). Introduction of license and plebiscite (16061a-16081a). Prohibition during rebellion (16082a-16083a). Feeling of churches and medical men in Toronto (16083<sup>1</sup>/<sub>2</sub>a to page 1039, line 43). License law defective; suggests amendments (16087a-16097a).

**STARK, WILLIAM, of Toronto, Detective.....Page 708**

Present license law well enforced, improvements, poverty, distress and liquor (11585a-11601a; 11642a-11651a; 11673a-11676a; 11706a). Scott Act in Halton beneficial; not enforced (11602a-11604a; 11685a-11689a). Arrests for drunkenness (11605a-11606a; 11652a). Favours prohibition; impracticable at present (11608a-11610a; 11638a-11641a; 11677a-11684a; 11690a-11705a). Liquor and criminals (11611a-11619a; 11629a-11637a; 11655a-11672a). Experiences as license inspector in Orillia; difficulties with witnesses (11620a-11628a). Character of licensed houses (11653a-11665a). Prohibition could be enforced with proper officials 11710a-11743a).

**STEPHEN, JAMES, Inspector of Toronto Police.....Page 1080**

Connected with police force 27 years, his duties (16581a-16586a). Some illicit selling requiring constant watching, mostly criminals engaged in sale (16587a-16591a; 16613a-16618a). License law restrictions well observed (16592a-16594a; 16610a-16612a). Jail no place for chronic inebriates, disease not crime, wants special institutions (16595a). Favours prohibition, keep trade out of criminal hands, allow manufacture for home consumption, stop all traffic (16596a-16609a). Considerable juvenile crime, its causes (16619a-16623a). Prohibition would require special machinery and state police (16624a-16626a).

**STEWART, JOHN K., Provincial License Inspector.....Page 950**

Provincial Inspector, formerly in insurance in Ottawa (14950a-14957a). License better observed in Toronto than in Ottawa (14958a). Ottawa's floating population heavy drinkers (14959a-14963a). Local option well observed where in force (14964a-14970a; 15017a-15027a). Favours prohibition, won him his appointment (14971a-14973a). Scott Act in Carleton County beneficial, repealed, hotel-keepers wanted it re-enacted (14974a-14983a). Favours prohibition, no sacramental purposes, only exemptions for medicinal and mechanical purposes; no compensation; stop traffic, manufacture allowed for home consumption strictly (14984a-15002a). Scott Act defects and complaints, not workable; amendments refused (15003a-15005a; 15063a-15083a). Many prohibitionists voted for repeal, no prohibition (15016a). Dunkin Act in Essex (15028a). Places without license (15029a-15033a). License better observed than ever, little and lessening illicit sale (15034a-15039a; 15044a-15062a). Prohibitory law harder than license to enforce, requires considerable education (15040a-15043a).

**STRATTON, W. G., of Toronto, Collector of Inland Revenue.....Page 672**

His district and duties (11080a-11084a). Presents statistics and explanations (11085a-11172a). Liquor industrially considered (11173a-11179a). Where duties are paid (11180a-11189a). Illicit distilling nil (11190a-11202a). Scott Act how observed (11203a-11222a). General explanations (11218a-11236a).

**SUTHERLAND, HENRY, of Toronto.....Page 1186**

Manager Temperance and General Life Insurance, presents statement (18200a-18207a). Favours prohibition without compensation (18208a-18217a).

**TAYLOR, EDWARD, of Toronto, City Relief Officer..... Page 594**

Held position 8 years; his duties (9928a-9932a). Poverty and distress caused by idleness, old age, sickness, want of employment; deserted wives and families; idleness leads to drinking (9933a-9936a). Juvenile crime; its causes (9937a-9940a). Favours universal prohibition; would submit to direct taxation; some compensation (9941a-9949a; 9953a-9957a; 9978a-9984a). Habitual drunkards (9950a-9952a). Fewer applications for relief (9968a). Less drunkenness, due to vigilance of police; and moral influences (9972a-9977a). Labour test and compulsory bath; reduce applications at House of Industry (9985a-9990a).

**THOMAS, WILLIAM J., of Toronto, Brewer..... Page 786**

Represents Ontario Brewing and Malting Company, established 1882 (12876a-12881a). Statistics barley malted for 11 years, and output; explains fluctuations; export malt (12882a-12897a; 12901a-12902a). Estimate valuation of plant, machinery and property; depreciation with prohibition (12898a-12907a). Trade under Scott Act; some losses in collections (12897a-12916a; 12908a-12923a-12927a; 12956a). License law, best known; little illegal selling, illicit vendors do not buy from brewers (12917a-12922a; 12934a-12936a; 12940a-12944a; 12950a). Brewers and licensed houses, chattel mortgages (12928a-12933a). Hotel licenses all have accommodation (12937a-12939a). Would not discriminate between strong and light drinks (12945a-12950a). Chronic drunks want work (12951a-12952a). Statistics of hands and price of barley (12953a-12969a).

**THOMPSON, JAMES, of Toronto, Painter.....Page 1104**

Growth of temperance in 35 years (16967a-16973a). Operation of license law in Toronto (16974a-16980a). Favours prohibition (16981a). Reduction of licenses does not reduce temptation; opposed to principle (16982a-16994a). No compensation (16995a-17003a).

**THORBURN, JAMES, M.D., of Toronto.....Page 770**

39 years in practice (12568a-12569a). Marked decrease in intemperance; better education; more moral suasion; changes in law questionable aids; licensees law abiding; law well enforced; less distress and poverty from liquor (12570a-12578a). License system satisfactory; advocates few licenses (12579a-12581a). Anti prohibition; would be dead letter; alcohol professionally necessary, good as diet (12582a-12593a; 12623a-12633a; 12641a-12684a). Lager beer and diseased kidneys (12594a-12598a). Bass vs. lager; favours light wines (12599a-12603a). Insanity and liquor (12604a-12611a). Heredity (12612a-12613a). Scott Act in Halton; comical experience (12614a-12619a; 12634a-12638a). Favours some compensation (12620a).

**TOTTEN, HENRY, of Toronto, Chief of the License Branch of the Treasury**

Department.....Page 928

His position (14657a-14659a). Official connection with Dunkin, McCarthy, Scott and License Acts; their successes and failures (14660a-14664a; 14715a-14731a; 14735a-14742a; 14753a). Statistical information of revenue (14665a-14661a). Statistics of convictions (14672a-14673a). Comparison License and Scott Acts (14674a-14678a). Liquor traffic, cost of justice and revenue (14679a-14686a). Statistics of committals (14687a-14692a; 14696a-14697). Scott Act an educator (14693a-14695a). Statistics of commitments of little value, con-

**TOTTEN, HENRY—Continued.**

victions better (14696a-14704a; 14778a-14792a). License inspectors' duties (14705a-14714a). Little illicit selling, most dangerous (14742a-14752a). Influence of sentiment on officials (14755a-14760a). Local option in Ontario (14761a-14768a).

**WALLACE, REV. O. C. S., of Toronto, Baptist Minister.....Page 1067**

Pastor, Bloor Street Church (16424a-16428a). Deliverance of conference (16429a-16432a). Experiences in Lawrence, Mass., under low license, free sale, and high license (16432a-16448a). Liquor traffic great foe of home life, corrupts morals, far reaching evil effects (16452a-16458a; 16467a-16471a). Favours prohibition, no importation for private use (16459a-16466a; 16472a).

**WATSON, A. D., M.D., of Toronto.....Page 1168**

License in Toronto, apparent observance, real breach (17923a-17930a). Favours prohibition, would give compensation as price of prohibition (17931a-17933a). Liquor injures health, heredity and training (17934a-17938a). State should conduct traffic and treat inebriates (17939a-17954a).

**WILKIE, DAVID R., President Toronto Board of Trade.....Page 693**

Cashier, Imperial Bank of Canada (11440a-11441a). Mode of conducting traffic capable of improvement, injurious to all interests; high license and few houses (11442a-11446a). Drinking financially considered (11447a-11450a). Prohibition impracticable, why; no compensation (11451a-11456a; 11493a-11502a). Board of Trade views (11457a-11460a). License law requires impartial judges for enforcement (11461a-11465a). Drunkenness decreasing, why (11466a-11469a). Opposed to public bars, favours fewer licenses (11470a-11481a). Manitoba better under license (11482a-11492a).

**MONTREAL, 2nd, 3rd and 8th March, 1894.****KRIBS, LOUIS P., of Toronto, Journalist.....Page 1190**

Presents printed statement for use of Commissioners (18265a). Employed by liquor men to study question and follow the proceedings of the Commission (18266a-18268a). Effects of traffic upon all interests affected by it; extent of industry; statistics of spirits manufactured (page 1194). Changes in duty (18269a-18272a). Statistics of spirits in warehouse (page 1196). Showing increase caused by ageing law (18273a-18297a). Government guarantee of age (18285a-18297a). Statistics of stock in Inland Revenue divisions, and quantities of grain used (18297a-18301a). Census of distillers trade; including feeding of stock (18301a-18311a, page 1203). Statistics of breweries with output, malt bears all the duty, colouring matter (18311a-18313a). Statistics of malt (18313a). Census of brewers' trade, including feeding of cattle, market for barley (18313a-18315a). Statistics of importation of liquors, and census of trade, including question of hotels or drinking saloons; men employed; grocery stores and shops; soda water manufactories; particulars of Montreal, Toronto and other cities tabulated (18315a—page 1211). Valuation of hotels and estimated depreciation in case of prohibition, in real estate, stock, plant, fixtures, etc. (18335a-18337a). Manufactures of wine and cider. All other effects of the trade are insignificant (18337a). Measures adopted to regulate the traffic, from free whisky under law to free whisky under prohibition (18337a—page 1212). Results these measures in Halifax, Windsor Junc-

KRIBBS, LOUIS P,—*Continued.*

tion, Truro, New Glasgow, Pictou, Port Mulgrave, Grand Narrows, North Sydney, Windsor, Kentville (page 1212). Annapolis, Yarmouth, Digby (page 1213). New Brunswick's license law, (page 1214). St. Stephen, Fredericton Junction, Fredericton, (page 1214); Moncton, Amherst (page 1215). Particulars of imprisonment at Fredericton (18343a-18360a). Wide open bar-room in Fredericton; no put up job (18361a-18391a). Results in Prince Edward Island, Scott Act a failure; abuse by temperance paper *Guardian*, of Charlottetown; statistics of votes (18391a-18401a; 18409a-18444a). Analysis of prohibition cry in Prince Edward Island; temperance organizations in the province (18402a-18408a). Prohibition in North-west Territories (18445a-18452a). Results of Scott Act in Quebec, at Danville and Brome (18453a). Scott Act in Ontario (18453a-18454a); in Halton statistics (18454a). Manitoba never tried Scott Act (18544a, page 1228, 18459a). Prohibition in North-west Territories (18459a). British Columbia no repressive laws (18459a). License laws in California at Riverside and Pasadena (18459a, page 1229). Kansas prohibition law in the two Kansas Cities, how broken (page 1230). In Topeka and Salina (p. 1231); in Leavenworth (page 1232). Statistics of population, claims of diminution of crime; statistics of crime (page 1223 to 1235). President Milner on prohibition (page 1236).

Recalled..... Page **1264**

Experiences in Nebraska (page 1264). Hon. Wolfbergers' statement about witnesses before the Commission (18764a-18769a). Previous visit to Iowa, travellers on trains only people really prohibited, Council Bluffs' open bars, and "free" business; virtual license for revenue, city marshall's report; bankers convention same all over the state (page 1265). Des Moines according to the *Leader* and fact; prohibition persuaded Republicans to adopt local option; whilst Democrats propose license. The "Funk's Committee" and "Carpenter" bill. John Doe and Richard Roe. Enforcement, hypocrisy and fraud. Drug stores that don't prepare prescriptions, the *modus operandi*; drug stores, bar-rooms opening out of hotel rotundas; effects of raiding; number of dives (pp. 1266a-1268a). Cedar Rapids saloons perfectly wide open; city practically takes license fee; two breweries exist (page 1268). Clinton, no pretense of keeping law. Dubuque, four breweries and 250 saloons, no concealment (page 1268). Davenport; its warning against enforcement, stopped formation of state police. *Globe* Commissioner's report (pp. 1269-70). General statistical information on Iowa (page 1270-78). Experiences in Maine, liquor purchaseable everywhere. Portland prohibition plaything of politics, atrocious character of liquor, money can buy immunity every time, whisky at drug stores, liquor obtainable, very little circumlocution necessary; agency loosely run; men women and children purchasing liquor; Portland "split"; Sunday in Portland, disgraceful orgies; July 4th under prohibition (pp. 1278-83). New Hampshire on the same lines (page 1283). Michigan's experience did away with prohibition in disgust after twenty years, now under high license, statistical information (pp. 1283-84). Massachussets gone back to license for good. The various experiments, the election of 1889, statistics, allusions to other states (pp. 1284-86).

Recalled..... Page **1287**

Prohibitory experiments in the Dominion; their social result considered statistically. Provinces and States compared, gratifying result of Crook's Act, comparison of commitments, and commitments for drunkenness in Ontario; reduction of licenses does not reduce drunkenness; comparisons and deductions (pp. 1287-93). Effects of prohibitory law on agriculture, on barley, on cattle feeding, on growers of grapes and apples (pp. 1293-97). Effects of prohibition on industrial and commercial industries statistically considered (pp. 1297-1303). Prohibitory laws impossible of enforcement; argues from past experiences (19407a, page 1303, 19128a, page 1311). Opposed to prohibition, why, his conclusions (19129a, page 1311, 19140a).

**SPENCE, FRANCIS S., Secretary of Dominion Alliance.....Page 1237**

Scott Act, two sets of licenses, conflict of authority under McCarthy Act, licenses issued by both Dominion and provincial Governments, clashing of authority existed, even without issuing licenses, owing to duplicate sets of officials (18460a-18479a ; 18507a-18510a ; 18761a-18780a). Informations and convictions under Canada Temperance Act in Ontario, showed effort at enforcement on part of inspectors (18480a-18488a). Dominion Alliance urged adoption and continuing of the Act ; Act was not the legislation they wanted ; but reduced drunkenness (18489a-18506a). Did enforcement improve as act lasted, machinery became better and more effective. Mr. Totten's statement, declines to criticise it ; Scott Act was hampered to end with inefficient Inspectors ; money required for enforcement was locked up (18507a-18564a). Statistics *re* Kansas went overwhelmingly in favour of prohibition (18565a-18602a). Evidence in Maine overwhelmingly in favour of prohibition ; Maine relatively and comparatively considered (18603a-18635a). Crime in the North-west Territories Governor Royal's administration ; Commissioner Herchmer's report (18636a-18758a).

**OTTAWA, 9th and 10th March, 1894.****BOGERT, REV. J. J., of Ottawa, Rector of St. Alban's.....Page 1333**

Rural Dean of Carleton, acting Chaplain to the jail (19420a-19424a). Misery and intemperance, drunkards at jail not benefited, an inebriate asylum wanted (19425a-19432a ; 19478a-19480a). Fermented wine wanted for Eucharist, action of synod (19433a-19440a). License law in Ottawa, sees few drunkards, interest of temperance demands fewer houses (19441a-19445a ; 19474a-19477a). Dunkin Act in Napanee not prohibitory ; Scott Act in Carleton (19446a-19452a). Rural Chapter's resolution against prohibition, not sufficiently strong, should take higher ground (19753a-19773a).

**COX, GEORGE, Mayor of Ottawa.....Page 1329**

Drunkenness decreasing ; little crime in the city (19352a-19363a). Scott Act in Carleton, no visible effect in city (19364a-19367a). Dissents from prohibition ; force wrong, believes in education, could not be enforced ; favours compensation (19368a-19377a). License law well observed (19378a-19384a).

**DUHAMEL, MOST REV. J. THOMAS, Archbishop of Ottawa ..... : ..Page 1330**

Scott Act in Carleton informed not enforced, not conducive to temperance (19385a-19390a). Moderate drinking in France and Italy (19391a-19394a). Opposed to prohibition, fermented wine wanted for Communion (19395a-19402a). Priests endeavour to promote temperance, opposed to many licenses if any, temperance increased, priests and pledges (19403a-19419a).

**HEBBLEWHITE, THOMAS, of Almonte.....Page 1313**

Total abstainer thirty years, alcohol as a beverage, drunkenness decreasing (19141a-19146a). Scott Act in Lanark ; how carried ; unsatisfactory ; less but worse liquor ; drinking more disreputable, temperance people vigilant, sales under Scott Act, induced false swearing ; lasting effect, weakened sentiment in favour of prohibition, comparison with plebiscite vote (19147a-19192a ; 19200a ; 19231a-19240a ; 19251a-19261a). Favours Government control or high license (19193a-19194a ; 19223a-19228a). Remuneration to brewers and distillers christian but impracticable, too big (19195a-19199a). Objects to prohibition, his plan of comparative prohibition (19153a ; 19162a-19164a ; 19251a). Licensees in Almonte all offenders ; act observed with variations (19229a-19231a). Requires courage to speak against prohibition (19241a-19245a).

**JOHNSON, GEORGE, of Ottawa, Dominion Statistician.....Page 1351**

Government statistician, his term of service, duties, condition of statistics ; general and gradual improvement in completeness, later returns fuller than earlier (19734a-19783a ; 19808a-19813a). Statistical result of violation of the license law (19784a-19786a). Preparation of statistics *re* Scott Act ; how arrived at ; an abstract proposition ; act in St. John City (19787a-19807a ; 19821a to page 1360). Vital statistics (19814a-19820a).

**LAUDER, VENERABLE J. S., of Ottawa.....Page 1361**

Archdeacon of Ottawa and Rector of Christ Church (19826a-19828a). Scott Act in Carleton ; clergy found it a failure (19829a-19837a). Little drunkenness, great improvement ; why (19843a). Wine for Communion (19844a-19846a). Opposed to prohibition, unscriptural ; other vices as injurious ; compensation right (19847a-19850a). Results of traffic ; resolution of chapter (19852a-19869a).

**LOW, REV. J. G., of Almonte, Clerk in Holy Orders.....Page 1364**

Thirty years in Orders, suffering caused by liquor, problems difficult of solution (19870a-19875a). Favours Gothenburg system, would abolish treating and bars (19876a-19883a). Almonte hotelmen superior class (19884a-19886a ; 19009a-19015a). Special treatment wanted for habitual drunkards (19887a). License law well observed (19888a). Wine for Communion (19889a-19891a). Opposed to prohibition ; letter to *Globe* (19892a-19893a ; 19900a-19908a ; 19916a-19919a ; 19926a-19932a ; 19941a 19955a). Scott Act gave rise to spying and watching intolerable ; injurious (19894a-19897a ; 19933a-19940a). Favours compensation (19898a-19899a). Free liquors should precede prohibition (19919a-19923a). Drink not the only curse (19924a-19925a).

**MOORE, REV. WILLIAM, D.D., of Ottawa.....Page 1374**

Pastor Bank Street Presbyterian Church (19956a). Favours total prohibition (19957a-19962a ; 19967a-19978a ; 19989a-19996a). Liquor distress and misery, consumption decreasing (19963a-19966a). Scott Act in Carleton (19979a-19981a). Habitual drunkards and jail (19982a-19985a). Morality of a glass of wine (19986a-19988a).

**McRITCHIE, REV. GEORGE, of Ottawa, Methodist Minister.....Page 1380**

Pastorates in Ottawa, drunkenness stationary (20036a-20041a). Rules of church (20042a-20052a). Favours prohibition, asylum for alcohol inebriates wanted (20053a-20059a ; 20073a-87a). Scott Act in Almonte and Prescott ; terrorism in Almonte ; secret sale in Prescott ; too near States ; reduced drunkenness (20060a-20072a).

**McVEITY, WILLIAM, of Ottawa, Chief of Police.....Page 1337**

His duties ; statistics (19647a-19651a ; 19688a-19696a). Scott Act in Carleton (19652a-19660a ; 19697a-19705a). Police and license laws (19661a-19666a). Prohibition could be maintained, with independent officers (19667a-19679a ; 19714a). Industrial homes for habitual drunkards (19680a-19682a). Temperance growing (19683a-19687a ; 19706a). License law observed ; desirable amendment (19707a-19713a). Favours prohibition, with compensation to manufacturers (19721a-19733a).

**O'REILLY, JOHN, of Ottawa, Inspector of Licenses.....Page 1337**

Statistics of licenses, accommodation, his duties (19481a-19513a ; 19558a-19563a ; 19583a-19584a ; 19591a-19646a). Scott Act in Carleton (19491a ; 19543a-19546a). Prohibitory clauses of the license law carried out "as nearly as possible" ; experiments with detectives ; law well regarded generally (19514a-



**O'REILLY, JOHN—Continued.**

19529a ; 19564a-19582a ; 19585a-19590a). Gold cure (19629a-19639a). Heavier fines wanted ; would make premises liable, on repeated convictions 19547a-19550a). Habitual drunkards require asylums (19551a-19554a).

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Presbyterian, Chaplain to Governor General ; former charges (19997a-20001a). Liquor and misery and domestic unhappiness (20002a). License regulations, fairly carried out, increased temperance (20003a-20004a ; 20033a-20035a). Favours a measure of prohibition with compensation (20005a-20012a). Moncton Scott Act virtually high license (20013a-20032a).











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